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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.

JUN 12 2001

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Tuesday, January 2, 2001 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

TOM AMMIANO, PRESIDENT

ALICIA BECERRIL, SUE BIERMAN, AMOS BROWN, LESLIE KATZ,

BARBARA KAUFMAN, MARK LENO, GAVIN NEWSOM,

MABEL TENG, MICHAEL YAKI, LELAND Y. YEE

Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Audit and Government Efficiency Committee

Supervisors Kaufman, Newsom, Katz

City and School District Committee

Supervisors Owens, Chong, Ammiano, Yee

Finance and Labor Committee

Supervisors Yee, Bierman, Ammiano

Housing and Social Policy Committee

Supervisors Teng, Bierman, Becerril

Parks and Recreation Committee

Supervisors Brown, Newsom, Leno

Public Health and Environment Committee

Supervisors Bierman, Brown, Yaki

Public Utilities and Deregulation Committee

Supervisors Ammiano, Yee, Becerril

Rules Committee

Supervisors Leno, Teng, Kaufman

Small Business, Economic Vitality and Consumer Services Committee

Supervisors Newsom, Leno, Becerril

Transportation and Land Use Committee

Supervisors Katz, Yaki, Yee

Meeting Days

1st Tuesday

1:00 PM

Quarterly, 4th Wednesday

3:00 PM

Wednesday

10:00 AM

1st and 3rd Tuesday

10:00 AM

2nd Tuesday

1:00 PM

2nd & 4th Thursday

10:00 AM

2nd & 4th Thursday

1:00 PM

1st and 3rd Thursday

10:00 AM

2nd and 4th Tuesday

10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair. of the Committee.

Members Present: Tom Ammiano, Alicia Becerril, Sue Bierman, Amos Brown, Leslie Katz, Barbara Kaufman, Mark Leno, Gavin Newsom, Mabel Teng, Michael Yaki, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:01 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Brown, Teng, Yee - 3.

Quorum present.

Supervisor Brown was noted present at 2:07 p.m.

Supervisor Teng was noted present at 2:03 p.m.

Supervisor Yee was noted present at 2:04 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Becerril, seconded by Supervisor Yaki, moved to APPROVE the November 6 and November 13, 2000 Meeting Minutes. The motion carried by the following vote:

Ayes: 8 - Ammiano, Becerril, Bierman, Katz, Kaufman, Leno, Newsom, Yaki

Absent: 3 - Brown, Teng, Yee

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be acted upon differently.

Supervisor Newsom indicated the matter relating to grant funds for the construction of the K-Ingleside light rail line and Ocean Avenue serving the Municipal Railway, File 001955. (See infra.)

Supervisor Newsom indicated the matters relating to commendations for Supervisors Bierman, Kaufman, Katz, Becerril, Teng, Yaki and Brown, Files 002223, 002224, 002225, 002226, 002227, 002228, 002229. (See infra.)

CONSENT AGENDA

Recommendations of the Finance and Labor Committee

**002112 [Settlement of Claim, Pacific Bell]
Supervisor Katz**

Resolution authorizing settlement of 14 claims against Pacific Bell in the amount of \$825,000 for overcharges between September 1987 and February 1998.

**Resolution No. 19-01
ADOPTED**

**002132 [Gift Acceptance, Department of Aging and Adult Services]
Supervisors Leno, Newsom, Becerril**

Resolution authorizing the Director of Aging and Adult Services to accept and expend a gift from the San Francisco Hospital Council, acting through Health Plus Services, in the amount of \$37,000 for the creation of a liaison program between the Public Guardian and member hospitals. (Adult and Aging Services)

Supervisor Becerril requested to be added as co-sponsor.

**Resolution No. 20-01
ADOPTED**

**002133 [Grant funds to improve services to seriously mentally ill in San Francisco]
Supervisors Leno, Newsom**

Resolution authorizing the Department of Public Health, Community Mental Health Services, to accept retroactively and expend SAMHSA Mental Health Block Grant funds of \$2,110,871 from the State Department of Mental Health to improve the system of care services for seriously emotionally disturbed children and severely mentally ill adults; providing for ratification of action previously taken. (Public Health Department)

**Resolution No. 21-01
ADOPTED**

Recommendations of the Public Health and Environment Committee

**001584 [Grant funds for viral hepatitis prevention integration]
Supervisors Leno, Newsom**

Resolution authorizing the Department of Public Health, Community Health Epidemiology and Disease Control, to accept retroactively and expend grant funds of \$174,841 from the Centers for Disease Control and Prevention to integrate viral hepatitis prevention into existing prevention services using a multi-infection prevention approach, and to enter into an agreement for the use of these funds; providing for ratification of action previously taken. (Public Health Department)

**Resolution No. 9-01
ADOPTED**

- 002093 [Grant from the Federal Center for Substance Abuse Treatment to assist HIV infected urban poor]
Supervisors Leno, Newsom

Resolution authorizing the Department of Public Health, Community Substance Abuse Services and Housing and Urban Health, to accept retroactively and expend first year grant funds of \$496,520 from the Center for Substance Abuse Treatment (CSAT) for Action Point-II HIV Treatment Capacity Expansion and to enter into an agreement which includes a rights in data clause, for the use of these funds; providing for ratification of action previously taken. (Public Health Department)

Resolution No. 16-01

ADOPTED

Recommendations of the Transportation and Land Use Committee

- 001904 [Parking Regulations, Various Locations]
Supervisor Newsom

Resolution enacting and rescinding parking regulations at various locations.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Jackson Street, north side, between driveways for #3003 and #3005 Jackson Street (13-foot zone, accommodating 2 motorcycles)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

3rd Street, east side, from Jerrold Avenue to 145 feet southerly (145-foot zone) (Parking and Traffic Department)

(DPT Order No. 2098.)

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 11-01

ADOPTED

- 002051 [Granting sidewalk encroachment permit to Charles Pankow Builders, Ltd. during construction operations at 77 Dow Place]

Resolution granting revocable permission to Charles Pankow Builders, Ltd. to temporarily close and occupy a portion of street area on Dow Place during construction operations at 77 Dow Place (Block 3750, Lot 2). (Public Works Department)

(DPW Order No. 172,606.)

Resolution No. 15-01

ADOPTED

001905 [Parking Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND

Lucky Street, west side, from 171.5 feet to 404 feet north of 26th Street (232.5-foot zone)

Lucky Street, west side, from 59 feet to 151.5 feet north of 26th Street (92.5-foot zone)

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Lucky Street, west side, from 198 feet to 445 feet north of 26th Street (247-foot zone)

Lucky Street, west side, from 75 feet to 178 feet north of 26th Street (103-foot zone)

NO LEFT TURN - ESTABLISH

3rd Street, both directions, at Custer Avenue

3rd Street, both directions, at Fairfax Avenue

3rd Street, both directions, at Galvez Avenue

3rd Street, both directions, at Innes Avenue

3rd Street, both directions, at Kirkwood Avenue

3rd Street, northbound, at Arthur Avenue / Cargo Way

3rd Street, northbound, at Burke Avenue

3rd Street, northbound, at Davidson Avenue

3rd Street, northbound, at Hudson Avenue

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

3rd Street, east side, between Burke and Evans Avenues

3rd Street, east side, between Cargo Way and Burke Avenue

3rd Street, east side, between Hudson and Innes Avenues

3rd Street, east side, from Fairfax Avenue to 90 feet southerly (90-foot zone)

3rd Street, east side, from Hudson Avenue to 80 feet northerly (80-foot zone)

3rd Street, east side, from Jerrold Avenue to 35 feet northerly (35-foot zone)

3rd Street, west side, between Evans and Davidson Avenues

3rd Street, west side, between Fairfax and Galvez Avenues

3rd Street, west side, between Galvez and Hudson Avenues

3rd Street, west side, between Innes and Jerrold Avenues

3rd Street, west side, from Hudson Avenue to 75 feet southerly (75-foot zone)

3rd Street, west side, from Innes Avenue to 60 feet northerly (60-foot zone) (Parking and Traffic Department)

(DPT Order No. 2098.)

Resolution No. 12-01

ADOPTED

002103 [Traffic Regulations, Various Streets]
Supervisor Katz

Resolution enacting and rescinding traffic regulations on various streets:

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH (Along Sidewalk Bulbouts)

3rd Street, west side, from Kirkwood Avenue to 35 feet northerly
3rd Street, west side, from Kirkwood Avenue to 85 feet southerly
3rd Street, east side, from Kirkwood Avenue to 35 feet southerly
3rd Street, west side, from LaSalle Avenue to 35 feet northerly
3rd Street, west side, from LaSalle Avenue to 24 feet southerly
3rd Street, east side, from LaSalle Avenue to 85 feet northerly
3rd Street, east side, from LaSalle Avenue to 35 feet southerly
3rd Street, west side, from McKinnon Avenue to 35 feet northerly
3rd Street, west side, from McKinnon Avenue to 24 feet southerly
3rd Street, east side, from McKinnon Avenue to 24 feet northerly
3rd Street, east side, from McKinnon Avenue to 35 feet southerly
3rd Street, west side, from Newcomb Avenue to 35 feet northerly
3rd Street, west side, from Newcomb Avenue to 24 feet southerly
3rd Street, east side, from Newcomb Avenue to 24 feet northerly
3rd Street, east side, from Newcomb Avenue to 35 feet southerly
3rd Street, west side, from Oakdale Avenue to 35 feet northerly
3rd Street, west side, from Oakdale Avenue to 85 feet southerly
3rd Street, east side, from Oakdale Avenue to 24 feet northerly
3rd Street, east side, from Oakdale Avenue to 55 feet southerly

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH (Along Sidewalk Bulbouts)

3rd Street, west side, from Palou Avenue to 35 feet northerly
3rd Street, west side, from Palou Avenue to 35 feet southerly
3rd Street, east side, from Palou Avenue to 60 feet northerly
3rd Street, east side, from Palou Avenue to 35 feet southerly
3rd Street, west side, from Quesada Avenue to 35 feet northerly
3rd Street, west side, from Quesada Avenue to 20 feet southerly
3rd Street, east side, from Quesada Avenue to 20 feet northerly
3rd Street, east side, from Quesada Avenue to 35 feet southerly
3rd Street, west side, from Revere Avenue to 40 feet northerly
3rd Street, west side, from Revere Avenue to 82 feet southerly
3rd Street, east side, from Revere Avenue to 27 feet northerly
3rd Street, east side, from Revere Avenue to 38 feet southerly

NO LEFT TURNS - ESTABLISH

3rd Street, both directions, at Kirkwood Avenue
3rd Street, both directions, at LaSalle Avenue
3rd Street, both directions, at McKinnon Avenue
3rd Street, both directions, at Oakdale Avenue
3rd Street, southbound, at Palou Avenue
3rd Street, southbound, at Quesada Avenue
3rd Street, both directions, at Revere Avenue
3rd Street, both directions, at Shafter Avenue
3rd Street, both directions, at Thomas Avenue

(DPT Order No. 2111.)

Resolution No. 18-01

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Ammiano, Becerril, Bierman, Katz, Kaufman, Leno, Newsom, Teng, Yaki
Absent: 2 - Brown, Yee

Severed From the Consent Agenda

001955 [Grant funds for the construction of the K-Ingleside light rail line and Ocean Avenue serving the Municipal Railway]
Supervisor Newsom

Resolution authorizing the Municipal Transportation Agency to accept and expend \$7,000,000 of State assistance for Ocean Avenue and K-Ingleside Street, sidewalk, and transit improvements. (Public Transportation Commission)

Supervisor Newsom requested this matter be severed so it could be considered separately.

SEVERED FROM CONSENT AGENDA.

Supervisor Newsom requested this matter be continued to January 16, 2001.

Supervisor Newsom, seconded by Supervisor Leno, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Becerril, Bierman, Katz, Kaufman, Leno, Newsom, Teng, Yaki
Absent: 2 - Brown, Yee

REGULAR AGENDA**UNFINISHED BUSINESS****Recommendations of the Audit and Government Efficiency Committee**

001968 [Administrative Code Revision, Chapter 66, Seismic Safety Retrofit Program]
Supervisor Kaufman

Ordinance amending Sections 66.1, 66.2, 66.3, 66.4 and 66.5 and repealing Section 66.6 of Chapter 66 of the Administrative Code to conform to current practices and make technical corrections.

Ordinance No. 1-01

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Becerril, Bierman, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee
Absent: 1 - Brown

**001969 [Administrative Code Revision, Chapter 66A, Seismic Safety Loan Program]
Supervisor Kaufman**

Ordinance amending and/or renumbering Sections 66A.2, 66A.3, 66A.4, 66A.6, 66A.7, 66A.8, 66A.9, 66A.10, 66A.12, 66A.13, 66A.14, 66A.15, 66A.16, 66A.17, 66A.18, 66A.19, 66A.20, 66A.21, 66A.22, 66A.23, 66A.24, 66A.26, 66A.27 and 66A.28 and repealing Sections 66A.11 and 66A.25 of Chapter 66A of the Administrative Code to conform to current practices and make technical corrections.

Ordinance No. 2-01

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Becerril, Bierman, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

Absent: 1 - Brown

NEW BUSINESS

Recommendations of the Finance and Labor Committee

**001798 [Extension of Sunset Clause - Utilization of Bid/RFP process for awarding of Parking Authority lease and management contracts]
Supervisor Newsom**

Ordinance amending Section 17.11(a) of the San Francisco Administrative Code to extend the authorization of the Parking Authority to utilize a Bid/RFP process for the awarding of all leases and management agreements for the use or operation of parking facilities. (Parking and Traffic Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Becerril, Bierman, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

Absent: 1 - Brown

**001959 [Government funding, Airport capital improvement projects]
Supervisor Newsom**

Ordinance appropriating \$671,165,000 of San Francisco International Airport infrastructure Bond proceeds to fund various capital improvement projects for fiscal year 2000-2001; placing \$212,686,188 on reserve. (Controller)

Supervisor Leno, seconded by Supervisor Katz, moved to excuse Supervisor Becerril from voting on this matter. The motion carried by the following vote:

Ayes: 10 - Ammiano, Becerril, Bierman, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

Absent: 1 - Brown

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Bierman, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

Absent: 1 - Brown

Excused: 1 - Becerril

- 002015 [MOU, Amendment No. 2 - International Brotherhood of Electrical Workers, Local Union No. 6]
Ordinance implementing Amendment No. 2 to the 1997-2001 Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local Union No. 6 and the City and County of San Francisco by appending the following list of past practices pursuant to Article VI.C. of the Memorandum of Understanding. (Human Resources Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

- 002066 [Pacific Bell Contract]
Supervisor Katz

Ordinance approving contract with Pacific Bell providing for the purchase of a variety of telecommunications services.

(Fiscal impact.)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

- 002068 [Government Funding, San Francisco General Hospital]
Mayor, Supervisor Newsom

Ordinance appropriating \$1,532,400 from Reserve-designated for one-time expenditures to fund the cost of medical and laboratory equipment for the San Francisco General Hospital for fiscal year 2000-01.

(Fiscal impact.)

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

- 002148 [Amendment to Fiscal Year 00-01 Patient Rates for the Department of Public Health]
Ordinance amending Part II, Chapter V, of the San Francisco Municipal Code (Health Code) by amending Section 128 thereof, to fix patient rates for services furnished by Department of Public Health, effective January 1, 2001. (Public Health Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

- 002048 [Approving San Joaquin River Group Authority Joint Powers Agreement and Division Agreement]
Resolution approving the San Joaquin River Group Authority Joint Exercise of Powers Agreement and Division Agreement and authorizing the President and General Manager of the Public Utilities Commission to execute these agreements on behalf of the City and County of San Francisco. (Public Utilities Commission)

Resolution No. 14-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

Recommendation of the Public Health and Environment Committee

001628 [Hospital and Nursing Home Discharge Planning Task Force]
Supervisors Bierman, Leno, Brown, Becerril, Katz

Resolution establishing a Hospital and Nursing Home Discharge Planning Task Force in relation to seniors and people with disabilities to make policy recommendations to the Mayor and Board of Supervisors, to promote coordination among relevant agencies and setting forth the membership and duties of the Task Force.

Supervisor Bierman submitted an amendment of the whole.

Supervisor Bierman, seconded by Supervisor Kaufman, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

Supervisors Becerril, Katz requested to be added as co-sponsors.

Resolution No. 10-01

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

Recommendation of Rules Committee

002094 [Appointment]
Resolution appointing Barbara Kaufman, indefinite term, to the Golden Gate Bridge, Highway, and Transportation District.

Supervisor Kaufman excused from voting in committee.

Supervisor Leno, seconded by Supervisor Newsom, moved to excuse Supervisor Kaufman from voting on this matter. The motion carried by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

Resolution No. 17-01

ADOPTED by the following vote:

Ayes: 9 - Becerril, Bierman, Brown, Katz, Leno, Newsom, Teng, Yaki, Yee

Noes: 1 - Ammiano

Excused: 1 - Kaufman

Recommendations of the Transportation and Land Use Committee**001870 [Disabled Placard Enforcement]
Supervisors Yaki, Katz, Newsom**

Ordinance amending Article 2, Section 12 of the San Francisco Traffic Code to authorize Parking Control Officers assigned to the "Robert Greenstrand Disabled Placard Detail" to issue misdemeanor citations for violations of California Vehicle Code Section 4461.

Supervisors Katz, Newsom requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

001902 [Parking Regulations, portions of Jones, McAllister and Eddy Streets]

Ordinance amending the Traffic Code by amending Section 32.6.7 and adding Section 32.6.28, regarding parking regulations on portions of Jones, McAllister and Eddy Streets. (Parking and Traffic Department)

(DPT Order No. 2097.)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

**002021 [Restricted parking]
Supervisors Yaki, Katz**

Ordinance amending Article 3 of the San Francisco Traffic Code by amending Section 33.1A thereof, by deleting the June 30, 1999 expiration date.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

**001929 [Transbay Terminal]
Supervisor Katz**

Resolution declaring that it is the policy of the City and County of San Francisco that it will actively pursue the implementation of Proposition H and work to connect the Transbay Terminal by rail to both the current terminus of CalTrans at Fourth and Townsend and to the East Bay in Emeryville or Oakland.

Resolution No. 13-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

COMMITTEE REPORTS

From Transportation and Land Use Committee

002106 [Urban Forestry Council]
Supervisors Leno, Katz, Bierman

Ordinance amending San Francisco Municipal Code Part 1 (Administrative Code) Chapter 5 by adding Article XX111 to create an Urban Forestry Council and to delineate powers and duties for such Council.

1/2/2001 - Supervisor Yee dissenting in Board.

*Supervisor Yee moved to rerefer this matter to committee.
Motion lost for lack of a second.*

Supervisor Leno requested to be added as co-sponsor.

The roll was then called on the pending ordinance.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki
Noes: 1 - Yee

002157 [Sidewalk encroachment permit in connection with the construction of new live/work projects at 60 Rausch and 73 Sumner Streets]

Resolution granting revocable permission to George F. Hauser to construct improvements, including new pavers, bollards, improved drainage and trees on a dead end portion of Clementina Street, east of Sumner Street, in conjunction with the construction of new live-work projects at 60 Rausch and 73 Sumner Streets (Block 3730, Lots 160 and 157) and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,641.)

Resolution No. 23-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

**001094 [Grant funds for Public Library Staff Education Program]
Supervisors Newsom, Katz, Bierman**

Resolution authorizing retroactively the San Francisco Public Library to accept and expend \$13,215 to be awarded by the California State Library, FY00/01 Public Library Staff Education Program as part of the Federal Library Services and Technology Act (LSTA). Funds will be used to reimburse tuition expenses of library employees pursuing a degree or certificate in Library Science at an institution of higher education. Employees participating in the program applied to, and were selected by the California State Library. (Public Library)

Resolution No. 8-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

**002182 [Sale of Flower Market Permit, Corner of 16th and Market Streets]
Supervisor Leno**

Resolution approving the assignment or sale of the flower market permit identified as "The Upper Market Street Flower Market located on the north sidewalk of Sixteenth Street within 100 feet south of the southerly line of Market Street" to a qualified permit applicant pursuant to Article 5 Section 161(h) of the Public Works Code. (Public Works Department)

Resolution No. 24-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

From Audit and Government Efficiency Committee

**001965 [Administrative Code Revision, Chapter 23, Real Property]
Supervisors Kaufman, Newsom**

Ordinance amending Articles I, II, III, IV, V, VI, and VII of Chapter 23 of the San Francisco Administrative Code by amending, repealing, and renumbering various sections regarding real property transactions.

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

**002018 [Part III, Requiring parking lot operators to post bond]
Supervisors Kaufman, Katz, Newsom, Leno**

Ordinance amending Article 6 of Part III of the San Francisco Municipal Code (Business and Tax Regulations Code), by amending Section 6.6-1, to require each applicant for a certificate of authority to collect parking taxes to post a bond with the Tax Collector as a precondition to the issuance of such certificate.

Supervisors Katz, Newsom requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

**002019 [Part III, Waive requirement that every business file a tax return]
Supervisors Leno, Newsom**

Ordinance amending Article 6 of Part III of the San Francisco Municipal Code (Business and Tax Regulations Code), by amending Section 6.9-2, authorizing the Tax Collector to waive the requirement that every business file a tax return, where the taxpayer would owe less than a minimum filing amount, not to exceed \$500, to be set annually by the Tax Collector.

Supervisors Katz, Newsom requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

**002067 [Library Fines and Fees]
Supervisor Newsom**

Ordinance amending the San Francisco Administrative Code by adding Section 8.21-2 to authorize the Library Commission to charge certain fines and fees for the use of library materials and services and ratifying prior fines and fees.

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

002153 [Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Santa Clara County Transit District against the City and County of San Francisco, filed April 28, 1999 for \$16,800. (City Attorney)

(Santa Clara Superior Court No. CV781561.)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

**002147 [Gift Acceptance, Public Library]
Supervisor Newsom**

Resolution authorizing the San Francisco Public Library to accept and expend a gift in the amount of \$158,947 from the estate of John Fortunio. (Public Library)

Resolution No. 22-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

PUBLIC COMMENT

Alan Duffy, Lewis Lillian, Ernestine Weiss, Edmund, Abdalla Mehahed, comments praising departing supervisors;

Bruce Allison, hospital workers task force;

Eula Walters, Ferry Park;

George R. Williams, expressing appreciation for the computer center at Western Addition and pedestrian safety measures;

Phil Carlson, urge departing supervisors to share their wisdom and experiences with incoming supervisors, illegal dumping at McLaren Park.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

- 002199 [19th Avenue median landscaping feasibility study]
Supervisor Yee

Resolution urging the Department of Public Works to perform a feasibility study of landscaping the 19th Avenue median.

Resolution No. 34-01

ADOPTED

- 002200 [Baggage Checkers at S.F. International Airport]
Supervisors Ammiano, Bierman

Resolution urging the Airport Commission to require that all passenger airline companies require the presence of baggage checkers for arriving flights in order to reduce incidences of theft and misidentification of baggage.

Resolution No. 35-01

ADOPTED

- 002201 [Compliance with California Statutory Waste Diversion Requirement]
Supervisors Becerril, Bierman

Resolution urging the San Francisco Board of Supervisors to urge all generators of solid waste to implement programs that will bring San Francisco into compliance with the statutory waste diversion requirement under the California Integrated Waste Management Act and urges appropriate city personnel to obtain a grant from the California Integrated Waste Management Board for this purpose.

Resolution No. 25-01

ADOPTED

**002202 [Policy priorities of the Bay Area Latino Health Summit]
Supervisors Becerril, Bierman**

Resolution urging the San Francisco Board of Supervisors to consider the policy priorities arising out of the First Annual Bay Area Latino Health Summit and to integrate these priorities where applicable into the City's health care delivery system.

Resolution No. 26-01

ADOPTED

**002203 [National Forest Protection and Restoration Act (HR 1396)]
Supervisors Leno, Bierman, Becerril**

Resolution urging the United States Congress to pass the National Forest Protection and Restoration Act (HR 1396).

Resolution No. 27-01

ADOPTED

**002205 [Commendation]
Supervisors Ammiano, Leno, Bierman**

Resolution commending John S. James for the founding of "AIDS Treatment News" and for providing important information on HIV/AIDS treatment and care to people living with AIDS, their caretakers as well as health care service providers.

Resolution No. 28-01

ADOPTED

**002212 [Needle Exchange Emergency]
Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Yee, Leno, Becerril**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M01-2

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

Severed From For Adoption Without Committee Reference Agenda

**002204 [George Sterling Park]
Supervisors Newsom, Bierman**

Resolution urging the Public Utilities Commission to establish a standing work order with Recreation and Park Department for the maintenance of George Sterling Park.

Supervisor Newsom requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Newsom requested this matter be continued to January 16, 2001.

Supervisor Newsom, seconded by Supervisor Leno, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

**002206 [Commendation]
Supervisors Becerril, Bierman, Newsom**

Resolution commending Jerry Rice on his retirement from the San Francisco Forty Niners.

Supervisor Becerril requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Becerril submitted an amendment of the whole, bearing new title.

Supervisor Becerril, seconded by Supervisor Katz, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

Resolution commending Jerry Rice on his years of outstanding service to the San Francisco Forty Niners.

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 29-01

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

**002207 [Commendation]
Supervisors Bierman, Newsom**

Resolution commending the Haight Ashbury Neighborhood Council Recycling Center for their twenty seven years of providing recycling and other services to Haight Ashbury residents and the citizens of San Francisco.

Supervisor Bierman requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 30-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

**002211 [Schedule of Management Audits]
Supervisor Yee**

Motion amending proposed schedule of management audits to be conducted of programs of City and County Departments by the Budget Analyst.

Supervisor Yaki requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Motion No. M01-1

APPROVED by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

002208 [Commendation]

Supervisors Bierman, Becerril, Newsom

Resolution commending the Bayview Opera House and Artists Heidi Hardin and Jonathan Sacks for presenting an environmental installation, "The Human Family Tree/A Walk Through Paradise", celebrating the cultural diversity and common humanity shared by San Franciscans with all the world's people.

Supervisor Bierman requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisors Becerril, Newsom requested to be added as co-sponsors.

Resolution No. 31-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

002223 [Commendation]

Supervisors Ammiano, Becerril, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

Resolution commending and honoring Sue Bierman for her distinguished service as Supervisor of the City and County of San Francisco.

Supervisor Ammiano requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Resolution No. 1-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

002224 [Commendation]

Supervisors Ammiano, Becerril, Bierman, Brown, Katz, Leno, Newsom, Teng, Yaki, Yee

Resolution commending and honoring Barbara Kaufman for her distinguished service as Supervisor of the City and County of San Francisco.

Supervisor Ammiano requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Resolution No. 2-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

002225 [Commendation]
Supervisors Ammiano, Becerril, Bierman, Brown, Kaufman, Leno, Newsom, Teng, Yaki, Yee

Resolution commending and honoring Leslie Katz for her distinguished service as Supervisor of the City and County of San Francisco.

Supervisor Ammiano requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Resolution No. 3-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

002226 [Commendation]
Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

Resolution commending and honoring Alicia Becerril for her distinguished service as Supervisor of the City and County of San Francisco.

Supervisor Ammiano requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Resolution No. 4-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

002227 [Commendation]
Supervisors Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Yaki, Yee

Resolution commending and honoring Mabel Teng for her distinguished service as Supervisor of the City and County of San Francisco.

Supervisor Ammiano requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Resolution No. 5-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

002228 [Commendation]
Supervisors Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Teng, Newsom, Yee

Resolution commending and honoring Michael Yaki for his distinguished service as Supervisor of the City and County of San Francisco.

Supervisor Ammiano requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Resolution No. 6-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

002229 [Commendation]
Supervisors Ammiano, Becerril, Bierman, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

Resolution commending and honoring Amos Brown for his distinguished service as Supervisor of the City and County of San Francisco.

Supervisor Ammiano requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Resolution No. 7-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Newsom, seconded by Supervisor Yee, moved **ADOPTION** of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Newsom, seconded by Supervisor Yee, moved **ADOPTION** of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

Imperative Resolutions

010007 [Commendation]
Supervisors Teng, Kaufman, Bierman

Resolution commending Stephen Leonoudakis for his service to the people of San Francisco during his 38-year tenure as a member of the Board of Directors of the Golden Gate Bridge Highway and Transportation District, and declaring January 5, 2001, to be "Stephen Leonoudakis Day" in San Francisco.

Resolution No. 32-01

ADOPTED

010008 [Commendation]
Supervisor Yaki

Resolution commending the contributions of Judy Lemons to the City and County of San Francisco, the State of California and the United States of America and declaring January 3, 2001, "Judy Lemons Day" in San Francisco.

Resolution No. 33-01

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mavor

Ordinances

010009 [Payment for services of Police Officers]
Supervisor Yee

Ordinance amending Chapter 10B Section 10B.2 of the San Francisco Administrative Code to reinstate administrative overhead fee.

1/2/01, ASSIGNED UNDER 30 DAY RULE to Audit and Government Efficiency Committee, expires on 2/1/2001.

**010010 [Ban on old-growth wood]
Supervisors Katz, Bierman, Leno**

Ordinance amending San Francisco Administrative Code by reenacting Chapter 121 which prohibits the City from using, requisitioning or purchasing any tropical hardwoods, tropical hardwood products, virgin redwood, or virgin redwood products.

1/2/01, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee.

Resolutions

**010011 [Funding needs for prevention and intervention services]
Supervisors Katz, Bierman, Newsom,**

Resolution urging the Juvenile Probation Department, the Department of Children, Youth and their Families (DCYF) and the Mayor's Criminal Justice Council (MCJC), to research alternative funding sources; and in light of TANF (Temporary Aid to Needy Families) funds ending in 2003, plan for long-term sustainable dollars to fund services specific to girls involved with the Juvenile Justice System, or who are at risk of entering the System.

1/2/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010012 [Special needs housing for girls]
Supervisors Katz, Bierman, Newsom**

Resolution urging City departments that fund social services for youth, including the Department of Children, Youth and their Families (DCYF), the Mayor's Criminal Justice Council (MCJC) and the Juvenile Probation Department (JPD), to collaborate with those departments that fund housing and community development, including the Mayor's Office of Housing (MOH) and the Mayor's Office of Community Development (MOCD), to explore the development of "special needs housing" that partners low-cost housing with social services, for girls and young women.

1/2/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010013 [Designated day and conference opportunities for girls]
Supervisors Katz, Bierman, Newsom**

Resolution urging that the City offers "urban girls" the opportunity to attend, and to participate in City-wide events that address their specific life experiences and needs through Board designated day for urban girls and through City-wide conferences.

1/2/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010014 [EP3 pilot program implementation]
Supervisors Katz, Bierman**

Resolution calling for the implementation of the pilot program for the Environmentally Preferable Purchasing Program (EP3).

1/2/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010015 [Use of web-based virtual teaming tools]
Supervisor Katz**

Resolution urging the Department of Telecommunications and Information Services to explore the adoption of web-based virtual teaming tools.

1/2/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010016 [Opposing additional Caldecott Tunnel bore]
Supervisors Leno**

Resolution opposing construction of a fourth Caldecott Tunnel bore and urging the Bart Board of Directors to rescind its endorsement of the fourth bore and to develop a better strategy for improving reverse-commute transit service.

1/2/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010017 [Organization list for membership in the Park, Recreation and Open Space Advisory Committee]
Supervisor Newsom**

Resolution ratifying the list of recommended organizations for membership in the Park, Recreation, and Open Space Advisory Committee as required by Proposition C and approved by the Recreation and Park Commission.

1/2/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010018 [Commendation]
Supervisors Becerril, Bierman**

Resolution commending Dolores Huerta for her work as co-founder of the United Farm Workers Union and her years of service as a legendary labor leader and civil rights activist.

1/2/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010019 [Commendation]
Supervisors Brown, Becerril, Bierman**

Resolution commending President Bill Clinton and HUD Secretary Andrew Cuomo for their help with the homeless problem.

1/2/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010020 [Commendation]
Supervisor Leno**

Resolution commending Felicia Park-Rogers for winning the Stonewall Foundation Award for her pioneering work as Director of Children of Lesbians and Gays Everywhere (COLAGE).

1/2/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing**010021 [November 2000 Branch Library Bond Program]
Supervisor Yee**

Hearing to determine and ensure that the voters' intent in approving the November 2000 Branch Library Bond Program is honored by the San Francisco Public Library and the San Francisco Library Commission; and to receive information from the San Francisco Public Library about where they intend to get the funds to implement both the first and second phases of improvements to the Main Library.

1/2/01, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**010022 [Security at San Francisco Zoo]
Supervisor Ammiano**

Hearing to inquire into security arrangement at the San Francisco Zoo and to devise ways to enhance security of animals, birds, insects, plants and other biological organism and especially endangered and rare species.

1/2/01, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**010023 [PG&E and Energy Crisis]
Supervisor Ammiano**

Hearing to inquire into PG&E's current fiscal condition and PG&E's proposed rate increase, the State's response to the energy crisis as well as the impact on the citizens of San Francisco.

1/2/01, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

**010024 [Crissy Field]
Supervisor Newsom**

Hearing to receive an update on the short-term and long-term plans for Crissy Field, including but not limited to any potential closures or new policy implementations.

1/2/01, RECEIVED AND ASSIGNED to Parks and Recreation Committee.

**010025 [Appointments]
Supervisor Ammiano**

Hearing to hear members of the general public who are interested in being appointed to the Golden Gate Bridge Highway and Transportation District.

1/2/01, RECEIVED AND ASSIGNED to Rules Committee.

Motions**010026 [Use of Legislative Chamber]
Supervisor Ammiano**

Motion waiving Board of Supervisors Rules of Order 6.13 to permit one time use of Legislative Chambers to hold a memorial service honoring the late Mr. Michael "Rick" Pacurar on January 19, 2001 from 3:30 PM to 6:30 PM.

1/2/01, RECEIVED AND ASSIGNED to Rules Committee.

**010027 [Budget Analyst Report]
Supervisors Becerril, Bierman**

Motion directing the Budget Analyst to conduct a focused study on the creation of a Municipal Utility District for San Francisco, on a prioritized basis.

1/2/01, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee.

Introduced by the President at the Request of Departments**PROPOSED ORDINANCES****002218 [South of Market General Advertising Sign Amendment]**

Ordinance amending Part II, Chapter II, of the San Francisco Municipal Code ("Planning Code") by amending Sections 607.2, 803.3 and 803.4 to clarify that general advertising signs are prohibited in the South of Market Zoning Districts, except in the South of Market General Advertising Special Sign District. (Planning Department)

(Certificate of Determination of Exemption/Exclusion from Environmental Review dated November 30, 2000, Case No. 1999.771ET; Planning Commission Resolution No. I6047 adopted December 7, 2000 amending the Planning Code and recommending approval of the proposed amendment.)

12/21/00, ASSIGNED UNDER 30 DAY RULE to Transportation and Land Use Committee, expires on 2/1/2001.

PROPOSED RESOLUTIONS

**002182 [Sale of Flower Market Permit, Corner of 16th and Market Streets]
Supervisor Leno**

Resolution approving the assignment or sale of the flower market permit identified as "The Upper Market Street Flower Market located on the north sidewalk of Sixteenth Street within 100 feet south of the southerly line of Market Street" to a qualified permit applicant pursuant to Article 5 Section 161(h) of the Public Works Code. (Public Works Department)

12/15/00, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

1/2/01, ADOPTED.

Supervisor Leno requested to be added as co-sponsor.

**002213 [Federal grant funds for strategic planning to reduce community and youth violence in Bayview Hunters Point and the Mission Districts]
Supervisors Leno, Newsom**

Resolution authorizing the Department of Public Health, Community Health Promotion and Prevention, to accept retroactively and expend first year grant funds of \$195,900 from the Substance Abuse and Mental Health Services Administration (SAMHSA) for the Community Youth Mental Health Promotion project and to enter into an agreement which includes a rights in data clause for the use of these funds; providing for ratification of action previously taken. (Public Health Department)

12/20/00, RECEIVED AND ASSIGNED to Public Health and Environment Committee. Department requests this item be calendared at the January 11, 2001 meeting.

Supervisors Leno, Newsom requested to be added as co-sponsors.

**002214 [Federal grant for a mobile methadone program]
Supervisors Leno, Newsom**

Resolution authorizing the Department of Public Health, Population Health and Prevention, Community Substance Abuse Services, to accept retroactively and expend first year grant funds of \$235,000 from the Substance Abuse and Mental Health Services (SAMHSA) and the Center for Substance Abuse Treatment (CSAT) for the mobile methadone maintenance program and to enter into an agreement which includes a rights in data clause for the use of these funds; providing for ratification of action previously taken. (Public Health Department)

12/20/00, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

Supervisors Leno, Newsom requested to be added as co-sponsors.

**002215 [Federal grant to reduce indoor environmental triggers for asthma]
Supervisors Leno, Newsom**

Resolution authorizing the Department of Public Health, Community Health and Safety Services, Environmental Health Services, to accept and expend grant funds of \$98,399 from the U.S. Environmental Protection Agency (EPA) for the Healthy Homes for Healthy Airways program. (Public Health Department)

12/20/00, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

Supervisors Leno, Newsom requested to be added as co-sponsors.

**002216 [Federal grant for a residential substance abuse program for pregnant and postpartum women]
Supervisors Leno, Newsom**

Resolution authorizing the Department of Public Health, Population Health and Prevention, Community Substance Abuse Services, to accept retroactively and expend first year grant funds of \$800,000 from the Substance Abuse and Mental Health Services Administration (SAMHSA) and the Center for Substance Abuse Treatment (CSAT) to expand the number of residential beds available to pregnant and postpartum women and to enter into an agreement which includes a rights in data clause for the use of these funds; providing for ratification of action previously taken. (Public Health Department)
12/20/00, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

Supervisors Leno, Newsom requested to be added as co-sponsors.

Requests Granted

From: Supervisor Ammiano

To: Director, San Francisco Zoo

Requesting/Inquiring: To notify the Director, San Francisco Zoo that committee hearing has been called to consider the security arrangement at the San Francisco Zoo and to devise ways to enhance security of animals, birds, insects, plants and other biological organism and especially endangered and rare species; and will be scheduled before the Finance and Labor Committee in the near future. File 010022.

The parameters of the hearing will include:

- 1. Current security practices at the San Francisco Zoo.*
- 2. Inquire into the reasons for the disappearance of two rare Koala bears from the Zoo.*
- 3. Current problems with security practices and the security of animals, birds, insects, plants, and other biological organisms, especially endangered and rare species.*
- 4. Ways to improve security arrangement and enhance safety of animals and other biological organisms.*
- 5. Other related issues.*

From: Supervisor Ammiano

To: General Manager, Public Utilities Commission

To: Government liaison representing PG&E

Requesting/Inquiring: To notify by the General Manager, Public Utilities Commission and the government liaison representing PG&E that a committee hearing has been called to inquire into PG&E's current fiscal condition, PG&E's proposed rate increase, the State's response to the energy crisis as well as the impact on the citizens of San Francisco; and will be scheduled before the Public Utilities and Deregulation Committee in the near future. File 010023

The parameters of the hearing will include:

- 1. PG&E's current fiscal condition and solvency.*
- 2. PG&E's proposed rate increase and its impact on citizens of San Francisco, especially low-income and senior citizens.*
- 3. The State of California and the Governor's response to the current energy crisis.*
- 4. Other related issues.*

From: Supervisor Katz

To: Director, Department of Parking and Traffic

To: General Manager, MUNI

Requesting/Inquiring: That the Director of Department of Parking and Traffic and General Manager of MUNI investigate and report on the possibility of allowing taxicabs to make left-hand turns from Third Street onto Oakdale, Palau, Quesada and Revere Streets during non-commute hours and when traffic safety and congestion permits.

From: Supervisor Katz

To: Director, Department of Children, Youth and their Families

To: Director, Mayor's Criminal Justice Council

To: Director, Department of Public Health

To: Director, Mayor's Office of Community Development

Requesting/Inquiring: That the Directors of the following departments: Department of Children, Youth and their Families, Mayor's Criminal Justice Council, Department of Public Health, and Mayor's Office of Community Development spend funding on girl specific programs. A similar project was completed by the Juvenile Probation Department. The Juvenile Probation Department project should be used as a model for the other departments cited in this request.

Due date: March 15, 2001

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Darwin Buck Jones (Supervisors Kaufman, Newsom, Leno)

Alice Fong Yu (Supervisor Yee)

Michael "Rick" Pacurar (By the entire Board)

Paul Wotman (By the entire Board)

Harold Leland Call (Supervisor Leno)

Alan Cranston (By the entire Board)

ADJOURNMENT

There being no further business, the Board at the hour of 5:22 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 20, 2001.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689*

MEETING MINUTES

DOCUMENTS DEPT.

JUN 12 2001

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Monday, January 8, 2001 12:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Special Inaugural Meeting

**TOM AMMIANO, CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL,
LELAND Y. YEE**

Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Audit and Government Efficiency Committee

City and School District Committee

Finance and Labor Committee

Housing and Social Policy Committee

Parks and Recreation Committee

Public Health and Environment Committee

Public Utilities and Deregulation Committee

Rules Committee

Small Business, Economic Vitality and Consumer Services Committee

Transportation and Land Use Committee

Meeting Days

1:00 PM

3:00 PM

10:00 AM

10:00 AM

1:00 PM

10:00 AM

1:00 PM

10:00 AM

10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Volume 96 Number 2

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Sophie Maxwell, Jake McGoldrick, Mark Leno, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee, Gavin Newsom.

Roll Call and Pledge of Allegiance

The Board of Supervisors of the City and County of San Francisco met in Special session on the above date.

The meeting was called to order at 12:03 p.m. by Gloria L. Young, Clerk of the Board. On call of the roll, the following Supervisors-elect were noted present:

Supervisors-elect Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee - 11.

Quorum present.

Guests

The following elected officials and distinguished guests were recognized:

*Assessor-Recorder and former Supervisor, Doris Ward;
City Attorney and former Supervisor, Louise H. Renne;
District Attorney and former Supervisor, Terrence Hallinan;
Sheriff Michael Hennessey;
Treasurer and former Supervisor, Susan Leal;
Former Supervisor Angela Alioto;
Former Supervisor Sue Bierman;
Former Supervisor Amos Brown;
Former Supervisor Leslie Katz;
Former Mayor Frank Jordan;
Board of Education members Jill Wynn and Mark Sanchez;
Senator Jackie Speier.*

Communications

(a) From Director of Elections, certifying the candidates who received a majority of votes cast either at the election held on November 7, 2000 or at the election held on December 12, 2000, who therefore, have been declared elected to that office, namely:

*Jake McGoldrick, District 1;
Gavin Newsom, District 2;
Aaron Peskin, District 3;
Leland Yee, District 4;
Matt Gonzalez, District 5;
Chris Daly, District 6;
Tony Hall, District 7;
Mark Leno, District 8;
Tom Ammiano, District 9;
Sophie Maxwell, District 10;
Gerardo Sandoval, District 11.*

b) From the Controller, filing of official bonds for all eleven members of the Board of Supervisors.

Oath of Office

Clerk of the Board introduced the Honorable Ronald Evans Quidachay, Presiding Judge, San Francisco Superior Court.

Judge Quidachay asked each Supervisor-elect named above to stand by his/her desk and raise his/her right hand, whereupon he administered the oath of office.

Terms of Office

Drawing of lots to determine whether the Supervisors elected from the even- or odd-numbered districts would have terms expiring in two years or four years.

The Clerk of the Board read into the record the following two pieces of paper:

The Supervisors who were elected from the even-numbered supervisorial districts at the San Francisco General Municipal elections on November 7, 2000 and December 12, 2000, shall have terms of office expiring at 12:00 noon, January 8, 2003; the Supervisors who were elected from the odd-numbered supervisorial districts at said elections shall have terms of office expiring at 12:00 noon, January 8, 2005.

The Supervisors who were elected from the odd-numbered supervisorial districts at the San Francisco General Municipal elections on November 7, 2000 and December 12, 2000, shall have terms of office expiring at 12:00 noon, January 8, 2003; the Supervisors who were elected from the even-numbered supervisorial districts at said elections shall have terms of office expiring at 12:00 noon, January 8, 2005.

Thereupon, each document was placed into separate capsules and placed into a drum.

The drum was spun around by Shayla Ashley Miller, granddaughter of the Clerk of the Board. The Clerk of the Board then opened the drum and withdrew one of the capsules and read the following statement:

The Supervisors who were elected from the even-numbered supervisorial districts at the San Francisco General Municipal elections on November 7, 2000 and December 12, 2000, shall have terms of office expiring at 12:00 noon, January 8, 2003; the Supervisors who were elected from the odd-numbered supervisorial districts at said elections shall have terms of office expiring at 12:00 noon, January 8, 2005.

The Supervisors who drew two-year terms are: Supervisors Chris Daly, Mark Leno, Sophie Maxwell, Gavin Newsom and Leland Yee.

The Supervisors who drew four-year terms are: Supervisors Tom Ammiano, Matt Gonzalez, Tony Hall, Jake McGoldrick, Aaron Peskin and Gerardo Sandoval.

Election of the President of the Board

Nominations

Supervisor Daly nominated Tom Ammiano as President.

The Clerk of the Board asked twice if there were any further nominations.

There being no response, the nominations for Board President were then closed.

Public Comment

The Clerk of the Board asked if there was anyone present who wished to address the question of the nomination of the President.

There being no response, the public comment portion was closed.

Selection of President

The roll was called on the nomination of Supervisor Tom Ammiano as Board President for two-year term, ending January 8, 2003, and it was adopted by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval, Yee, Newsom

President Assumes the Chair

President Ammiano designated Supervisors Sophie Maxwell and Geraldo Sandoval to escort him to the rostrum.

Remarks from Mayor

President Ammiano introduced the Honorable Mayor Willie L. Brown, Jr.

The Mayor congratulated the incumbents and the newly elected members, gave brief remarks and expressed his commitment to working with the Board.

Roll Call

Each member of the Board of Supervisors was called and was afforded an opportunity for brief remarks and for introduction of family members or guests in attendance.

Presentation to Outgoing President

The Clerk of the Board presented a plaque to Supervisor Ammiano in recognition of his term as President of the Board of Supervisors from January 8, 1999 to January 8, 2001.

Remarks by President of the Board

President Ammiano gave his commitment to working with the Mayor, Department Heads, and the public in reaching consensus concerning issues which impact the citizens of San Francisco.

ADJOURNMENT

There being no further business, the Board at the hour of 1:22 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 20, 2001.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689*

MEETING MINUTES

DOCUMENTS DEPT.

JUN 12 2001

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, January 16, 2001 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

TOM AMMIANO, PRESIDENT

*CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE MCGOLDRICK, GAVIN NEWSOM
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE*

Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Audit and Government Efficiency Committee

City and School District Committee

Finance and Labor Committee

Housing and Social Policy Committee

Parks and Recreation Committee

Public Health and Environment Committee

Public Utilities and Deregulation Committee

Rules Committee

Small Business, Economic Vitality and Consumer Services Committee

Transportation and Land Use Committee

Meeting Days

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee

Volume 96 Number 3

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Sophie Maxwell, Jake McGoldrick, Mark Leno, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisor was noted absent:

Supervisor Sandoval - I.

Quorum present.

Supervisor Sandoval was noted present at 2:05 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Yee, seconded by Supervisor Newsom, moved to APPROVE the November 20, December 4, and December 11, 2000 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee
Absent: 1 - Sandoval

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be acted upon differently.

Supervisor Yee indicated the matters relating to library fines and fees and the urban forestry council, Files 002067, 002106. (See infra.)

Supervisor Newsom indicated the matters relating to library fines and fees, K-Ingleside light rail line and Ocean Avenue, George Sterling Park, organization list for membership in the Park, Recreation and Open Space Advisory Committee, Files 002067, 001955, 002204, 010017. (See infra.)

Supervisor McGoldrick indicated the matter relating to final map of The Allied Box Factory, File 010051. (See infra.)

Supervisor Peskin indicated the matter relating to parking lot operators to post bond, File 002018. (See infra.)

Supervisor Daly indicated the matter relating to final map, Mission Bay. File 010050. (See infra.)

CONSENT AGENDA

Recommendations of the Audit and Government Efficiency Committee

- 002019 [Part III, Waive requirement that every business file a tax return]
Supervisors Leno, Newsom

Ordinance amending Article 6 of Part III of the San Francisco Municipal Code (Business and Tax Regulations Code), by amending Section 6.9-2, authorizing the Tax Collector to waive the requirement that every business file a tax return, where the taxpayer would owe less than a minimum filing amount, not to exceed \$500, to be set annually by the Tax Collector.

Supervisor Leno requested to be noted as lead sponsor.

Ordinance No. 9-01

FINALLY PASSED

- 002153 [Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Santa Clara County Transit District against the City and County of San Francisco, filed April 28, 1999 for \$16,800. (City Attorney)

(Santa Clara Superior Court No. CV781561.)

Ordinance No. 14-01

FINALLY PASSED

Recommendations of the Finance and Labor Committee

- 001798 [Extension of Sunset Clause - Utilization of Bid/RFP process for awarding of Parking Authority lease and management contracts]
Supervisor Newsom

Ordinance amending Section 17.11(a) of the San Francisco Administrative Code to extend the authorization of the Parking Authority to utilize a Bid/RFP process for the awarding of all leases and management agreements for the use or operation of parking facilities. (Parking and Traffic Department)

Ordinance No. 3-01

FINALLY PASSED

- 001959 [Government funding, Airport capital improvement projects]
Supervisor Newsom

Ordinance appropriating \$671,165,000 of San Francisco International Airport infrastructure Bond proceeds to fund various capital improvement projects for fiscal year 2000-2001; placing \$212,686,188 on reserve. (Controller)

Ordinance No. 6-01

FINALLY PASSED

002015 [MOU, Amendment No. 2 - International Brotherhood of Electrical Workers, Local Union No. 6]
Ordinance implementing Amendment No. 2 to the 1997-2001 Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local Union No. 6 and the City and County of San Francisco by appending the following list of past practices pursuant to Article VI.C. of the Memorandum of Understanding. (Human Resources Department)

Ordinance No. 7-01

FINALLY PASSED

002066 [Pacific Bell Contract]
Supervisor Katz

Ordinance approving contract with Pacific Bell providing for the purchase of a variety of telecommunications services.

(Fiscal impact.)

Ordinance No. 11-01

FINALLY PASSED

002068 [Government Funding, San Francisco General Hospital]
Mayor, Supervisor Newsom

Ordinance appropriating \$1,532,400 from Reserve-designated for one-time expenditures to fund the cost of medical and laboratory equipment for the San Francisco General Hospital for fiscal year 2000-01.

(Fiscal impact.)

Ordinance No. 12-01

FINALLY PASSED

002148 [Amendment to Fiscal Year 00-01 Patient Rates for the Department of Public Health]
Ordinance amending Part II, Chapter V, of the San Francisco Municipal Code (Health Code) by amending Section 128 thereof, to fix patient rates for services furnished by Department of Public Health, effective January 1, 2001. (Public Health Department)

Ordinance No. 13-01

FINALLY PASSED

Recommendations of the Transportation and Land Use Committee

001870 [Disabled Placard Enforcement]
Supervisors Yaki, Katz, Newsom

Ordinance amending Article 2, Section 12 of the San Francisco Traffic Code to authorize Parking Control Officers assigned to the "Robert Greenstrand Disabled Placard Detail" to issue misdemeanor citations for violations of California Vehicle Code Section 4461.

Ordinance No. 4-01

FINALLY PASSED

- 001902 [Parking Regulations, portions of Jones, McAllister and Eddy Streets]**
Ordinance amending the Traffic Code by amending Section 32.6.7 and adding Section 32.6.28, regarding parking regulations on portions of Jones, McAllister and Eddy Streets. (Parking and Traffic Department)

(DPT Order No. 2097.)

Ordinance No. 5-01
FINALLY PASSED

- 002021 [Restricted parking]**
Supervisors Yaki, Katz

Ordinance amending Article 3 of the San Francisco Traffic Code by amending Section 33.1A thereof, by deleting the June 30, 1999 expiration date.

Ordinance No. 10-01
FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Severed From The Consent Agenda

- 002018 [Part III, Requiring parking lot operators to post bond]**
Supervisors Kaufman, Katz, Newsom, Leno

Ordinance amending Article 6 of Part III of the San Francisco Municipal Code (Business and Tax Regulations Code), by amending Section 6.6-1, to require each applicant for a certificate of authority to collect parking taxes to post a bond with the Tax Collector as a precondition to the issuance of such certificate.

Supervisor Peskin requested this matter be severed so it could be considered separately.

SEVERED FROM CONSENT AGENDA.

Supervisor Leno requested to be added as co-sponsor.

Ordinance No. 8-01

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

- 002067 [Library Fines and Fees]**
Supervisor Newsom

Ordinance amending the San Francisco Administrative Code by adding Section 8.21-2 to authorize the Library Commission to charge certain fines and fees for the use of library materials and services and ratifying prior fines and fees.

Supervisor Yee requested this matter be severed so it could be considered separately.

SEVERED FROM CONSENT AGENDA.

Supervisor Yee, seconded by Supervisor McGoldrick, moved that this Ordinance be RE-REFERRED to the Audit and Government Efficiency Committee. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Audit and Government Efficiency Committee

001007 [Administrative Code Chapter 31]
Supervisor Kaufman

Ordinance repealing Administrative Code Chapter 31 and enacting new Administrative Code Chapter 31 to adopt procedures and fees to implement the California Environmental Quality Act.

(Repeals and enacts new Administrative Code Chapter 31.)

(From Planning Commission Resolution No. 16012 adopted October 26, 2000, recommending that the Board of Supervisors adopted proposed changes to Administrative Code Chapter 31.)

Supervisor Peskin submitted an amendment of the whole.

Supervisor Peskin, seconded by Supervisor Leno, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

On advice of the Deputy City Attorney Ted Lakey, this matter was referred back to committee for public comment.

Supervisor Peskin, seconded by Supervisor Leno, moved that this Ordinance be RE-REFERRED to the Audit and Government Efficiency Committee. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

**001965 [Administrative Code Revision, Chapter 23, Real Property]
Supervisors Kaufman, Newsom**

Ordinance amending Articles I, II, III, IV, V, VI, and VII of Chapter 23 of the San Francisco Administrative Code by amending, repealing, and renumbering various sections regarding real property transactions.

Supervisor Newsom, seconded by Supervisor Leno, moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Recommendations of the Transportation and Land Use Committee

**002106 [Urban Forestry Council]
Supervisors Leno, Katz, Bierman**

Ordinance amending San Francisco Municipal Code Part 1 (Administrative Code) Chapter 5 by adding Article XX111 to create an Urban Forestry Council and to delineate powers and duties for such Council.

1/2/2001 - Supervisor Yee dissenting in Board.

Supervisor Leno moved to amend Section 5.231. Scope of Authority

(d) The Council's scope of authority is completely advisory and educational in nature and will have no authority to legislate.

(e) Neither the Natural Areas Program of the San Francisco Recreation and Park Department nor the Golden Gate Park Reforestation Program shall be affected by this ordinance. (City Attorney to prepare legislation.)

Supervisor Leno, seconded by Supervisor Yee, moved that this Ordinance be **AMENDED**. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

**001955 [Grant funds for the construction of the K-Ingleside light rail line and Ocean Avenue serving the Municipal Railway]
Supervisor Newsom**

Resolution authorizing the Municipal Transportation Agency to accept and expend \$7,000,000 of State assistance for Ocean Avenue and K-Ingleside street, sidewalk, and transit improvements. (Public Transportation Commission)

Supervisor Newsom requested this matter be continued to January 29, 2001.

Supervisor Newsom, seconded by Supervisor Sandoval, moved that this Resolution be **CONTINUED**. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

ROLL CALL FOR INTRODUCTIONS

President Ammiano announced the following proposed committee assignments, effective February 1, 2001:

*Audit, Labor and Government Efficiency
Supervisors Newsom, Daly, McGoldrick*

*Economic Vitality, Small Business and Social Policy
Supervisors Sandoval, Newsom, Maxwell*

*Finance
Supervisors Leno, Peskin, Gonzalez*

*Housing, Transportation and Land Use
Supervisors McGoldrick, Daly, Peskin*

*Neighborhood Services and Parks
Supervisors Yee, Hall, Sandoval*

*Public Health and Environment
Supervisors Maxwell, Yee, Leno*

*Public Utilities and Deregulation
Supervisors Daly, Gonzalez, Ammiano*

*Rules
Supervisors Gonzalez, Hall, Ammiano*

*City and School District
Supervisors Maxwell, Ammiano*

First-named Supervisor is Chair, second-named Supervisor is Vice-Chair, of the Committee.

PUBLIC COMMENT

Abdalla Megahed, funding for the homeless, vacant sites for use as homeless shelter;
Ernestine Weiss, need neighborhood beat cops, senior housing, rent control, park and open space;
Jose Morales, senior housing, disabled, terminally ill and low income residents;
Male speakers, PAC pledge to provide \$2 million for housing;
James Howard Pye, Jr., senior housing, social services for son;
Paola Zuniga, Mission Anti-displacement Coalition, quality of life issues;
Female speaker, taxi and municipal transportation matters;
Steven Currier, Geneva car barn and office building funding;
Denise D'Anne, quality of life issues relating to the environment;
Frederick Hobson, funding for additional beds for substance abuse, Animal Welfare Commission, Veterans Commission;
John Bards, congratulations to the new Board, supports district elections;
Father, taxi service;
Michael Nulty, housing committee;
Bruce Allison, community violence, minimum compensation ordinance;
Sala, community access tv talk show hostess, community violence;
Jessica, housing for San Francisco students;
Don Isenberg, Green Party, supports resolution against PGE rate increase and suggest adding moratorium on laying off workers;
Female, tree council, supports moratorium on live-work units, bike lanes, oppose Butterfly Museum;
Mr. Griswell, campaign finance reform enforcement;
Joe Fusco, Golden Gate Park and proposed plan and environment review for the deYoung Museum;
Edmund, urge public involvement in government;
Robert Pender, Park Merced residents meeting;
Male speaker, suggestions on how to conduct civic duties;
John Winston, guidance on neighborhood agenda.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

010011 [Funding needs for prevention and intervention services]
Supervisors Katz, Bierman, Newsom, Hall, Leno

Resolution urging the Juvenile Probation Department, the Department of Children, Youth and their Families (DCYF) and the Mayor's Criminal Justice Council (MCJC), to research alternative funding sources; and in light of TANF (Temporary Aid to Needy Families) funds ending in 2003, plan for long-term sustainable dollars to fund services specific to girls involved with the Juvenile Justice System, or who are at risk of entering the System.

Supervisors Hall, Leno requested to be added as co-sponsors.

Resolution No. 49-01

ADOPTED

- 010012 [Special needs housing for girls]
Supervisors Katz, Bierman, Newsom, Hall, Leno

Resolution urging City departments that fund social services for youth, including the Department of Children, Youth and their Families (DCYF), the Mayor's Criminal Justice Council (MCJC) and the Juvenile Probation Department (JPD), to collaborate with those departments that fund housing and community development, including the Mayor's Office of Housing (MOH) and the Mayor's Office of Community Development (MOCD), to explore the development of "special needs housing" that partners low-cost housing with social services, for girls and young women.

Supervisors Hall, Leno requested to be added as co-sponsors.

Resolution No. 50-01

ADOPTED

- 010013 [Designated day and conference opportunities for girls]
Supervisors Katz, Bierman, Newsom, Hall, Leno

Resolution urging that the City offers "urban girls" the opportunity to attend, and to participate in City-wide events that address their specific life experiences and needs through Board designated day for urban girls and through City-wide conferences.

Supervisors Hall, Leno requested to be added as co-sponsors.

Resolution No. 51-01

ADOPTED

- 010014 [EP3 pilot program implementation]
Supervisors Katz, Bierman

Resolution calling for the implementation of the pilot program for the Environmentally Preferable Purchasing Program (EP3).

Resolution No. 37-01

ADOPTED

- 010015 [Use of web-based virtual teaming tools]
Supervisor Katz

Resolution urging the Department of Telecommunications and Information Services to explore the adoption of web-based virtual teaming tools.

Resolution No. 52-01

ADOPTED

- 010016 [Opposing additional Caldecott Tunnel bore]
Supervisors Leno, Peskin

Resolution opposing construction of a fourth Caldecott Tunnel bore and urging the Bart Board of Directors to rescind its endorsement of the fourth bore and to develop a better strategy for improving reverse-commute transit service.

Supervisor Peskin requested to be added as co-sponsor.

Resolution No. 53-01

ADOPTED

**010018 [Commendation]
Supervisors Becerril, Bierman**

Resolution commending Dolores Huerta for her work as co-founder of the United Farm Workers Union and her years of service as a legendary labor leader and civil rights activist.

Resolution No. 38-01

ADOPTED

**010019 [Commendation]
Supervisors Brown, Becerril, Bierman**

Resolution commending President Bill Clinton and HUD Secretary Andrew Cuomo for their help with the homeless problem.

Resolution No. 39-01

ADOPTED

**010020 [Commendation]
Supervisor Leno**

Resolution commending Felicia Park-Rogers for winning the Stonewall Foundation Award for her pioneering work as Director of Children of Lesbians and Gays Everywhere (COLAGE).

Resolution No. 40-01

ADOPTED

010038 [Declaration of Results of Municipal Run-Off Election Conducted on December 12, 2000]

Resolution declaring the results of the Municipal Run-Off Election conducted on December 12, 2000, in the City and County of San Francisco. (Clerk of the Board)

Resolution No. 41-01

ADOPTED

**010040 [Needle Exchange Emergency]
Supervisors Ammiano, Yee, Newsom, Leno**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M01-3

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Severed From For Adoption Without Committee Reference Agenda

002204 [George Sterling Park]
Supervisors Newsom, Bierman

Resolution urging the Public Utilities Commission to establish a standing work order with Recreation and Park Department for the maintenance of George Sterling Park.

Supervisor Newsom requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Newsom requested this matter be referred to committee.

REFERRED to the Parks and Recreation Committee.

010017 [Organization list for membership in the Park, Recreation and Open Space Advisory Committee]
Supervisor Newsom

Resolution ratifying the list of recommended organizations for membership in the Park, Recreation, and Open Space Advisory Committee as required by Proposition C and approved by the Recreation and Park Commission.

Supervisor Newsom requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Newsom requested this matter be referred to committee.

REFERRED to the Rules Committee.

010050 [Final Map, Planned Development, Mission Bay (Submission No. 3)]

Motion approving Final Map, Planned Development, Mission Bay, (Blocks 41, 42, 43, and 45), an 11 Lot Subdivision Project, being Phase 1 of a subdivision of Lot 1 in Assessor's Block 8709, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan and Plan Documents. (Public Works Department)

(DPW Order No. 172,743.)

Supervisor Daly requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Daly requested this matter be referred to committee.

REFERRED to the Transportation and Land Use Committee.

010051 [Final map for a 31 unit mixed use condominium project]

Motion approving final map of The Allied Box Factory, a Mixed Use Development Live/Work and Commercial Condominium Project (2169 Folsom Street), being a subdivision of Lot 74, Assessor's Block No. 3573, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,749.)

Supervisor McGoldrick requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor McGoldrick requested this matter be referred to committee.

REFERRED to the Transportation and Land Use Committee.

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Newsom, seconded by Supervisor Leno, moved ADOPTION of the serious injury finding. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Absent: 1 - Hall

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Newsom, seconded by Supervisor Leno, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Absent: 1 - Hall

Imperative Resolution

- 010058 [Opposition to John Ashcroft as Attorney General]
Supervisors Leno, Maxwell, Gonzalez, Ammiano, Daly, Peskin, McGoldrick

Resolution urging United States Senators Dianne Feinstein and Barbara Boxer to oppose confirmation of John Ashcroft as the U.S. Attorney General.

Supervisor Leno presented for immediate adoption.

Resolution No. 42-01

Supervisor Leno, seconded by Supervisor Newsom, moved that this Resolution be **ADOPTED**. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

- 010059 [Catastrophic Sick Leave Program]
Supervisor Ammiano

Ordinance repealing Section 16.9-29 of the San Francisco Administrative Code and replacing it with new Section 16.9-29A to authorize the transfer of vacation and sick leave credits to a pool of catastrophically ill employees and to individual catastrophically ill employees, and adding new Section 16.9-29B to authorize the transfer of vacation credits to individual employees with catastrophically ill family members.

(Fiscal impact.)

1/6/01, ASSIGNED UNDER 30 DAY RULE to Finance and Labor Committee, expires on 2/15/2001.

- 010060 [Rent passthrough]
Supervisor Gonzalez

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by adding a new Section 37.8C "Temporary Moratorium on Rent Board processing or approval of landlord petitions for certification and passthrough of capital improvement, rehabilitation and energy conservation costs to tenants, during pendency of the Superior Court's preliminary injunction staying implementation of November 2000 Proposition H."

1/16/01, ASSIGNED UNDER 30 DAY RULE to Housing and Social Policy Committee, expires on 2/15/2001.

010061 [Substance Abuse and Crime Prevention Trust Fund and Designation of Lead Agency]
Mayor, Supervisors Newsom, Maxwell, Hall, McGoldrick, Daly, Leno, Peskin

Ordinance adding Section 10.117-126 of the San Francisco Administrative Code establishing fund for deposit of sums received under the Substance Abuse and Crime Prevention Act of 2000, and designating the Department of Public Health as the lead agency for administration of the fund.

1/16/01, ASSIGNED UNDER 30 DAY RULE to Finance and Labor Committee, expires on 2/15/2001.

Resolutions

010062 [Zoning, Live/Work Moratorium]
Supervisors Ammiano, Daly, Maxwell, McGoldrick

Resolution imposing interim zoning controls to prohibit construction of new live/work developments, as defined in San Francisco Planning Code Section 102.13, in the City and County of San Francisco, for a six (6) month period, and making a determination of consistency with the priority policies of Planning Code Section 101.1.

(Certificate of Determination of Exemption/Exclusion from Environmental Review dated January 30, 2001.)
1/16/01, RECEIVED AND ASSIGNED to Housing and Social Policy Committee. 1/23/01, Referred to Director of Planning for environmental review, pursuant to Section 306.7(c) of the Planning Code.

010063 [Zoning, Live/Work Interim Order]
Supervisors Ammiano, Daly, Maxwell, McGoldrick

Resolution imposing an order prohibiting action on applications for permits or other land use entitlements to construct new live/work developments, as defined in San Francisco Planning Code Section 102.13, in the City and County of San Francisco, while the Board of Supervisors considers adoption of interim zoning controls governing such live/work development; and making a finding of consistency with the priority policies of Planning Code Section 101.1.

1/6/01, RECEIVED AND ASSIGNED to Housing and Social Policy Committee. 1/23/01, Referred to Director of Planning for environmental review, pursuant to Section 306.7(c) of the Planning Code.

010064 [Catholic Healthcare West and Sutter Health]
Supervisors Ammiano, Peskin, Daly

Resolution supporting the objectives of SEIU Local 250 members in their contract negotiations with Catholic Healthcare West (CHW) and Sutter Health and calling on CHW and Sutter to settle fair contracts with SEIU Local 250 that satisfy these objectives without further delay.

1/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010065 [Substance Abuse Treatment Slots]
Supervisor Daly

Resolution urging the Department of Public Health to develop a comprehensive plan to create 1,500 additional substance abuse treatment slots.

1/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010066 [Bicycle Lanes on Valencia Street]
Supervisors Leno, Daly**

Resolution establishing bicycle lanes on Valencia Street subsequent to the one year trial period.

1/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010067 [Reasonable rates for California electric consumers]
Supervisors Leno, Gonzalez, Maxwell, McGoldrick, Daly**

Resolution urging the California Public Utilities Commission and the California Legislature to ensure reasonable electric rates and deny utility requests for additional rate increases.

1/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010068 [Zoning - Extension of Planning Commission Review Period]
Supervisor Leno**

Resolution extending the prescribed time within which the Planning Commission may render its decision on proposed ordinances to amend the Planning Code to create the Glen Park Special Use Subdistrict.

1/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010069 [Gift acceptance]
Supervisor Newsom**

Resolution authorizing the Controller's Office to accept a gift of \$7,723.71 from the Supervisor Gavin Newsom Campaign Committee for the purchase of speed bumps on West Clay Street.

1/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010070 [Mortgage Credit Certificates]
Mayor**

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates.

1/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010071 [Commendation - Visitacion Valley Planning Alliance]
Supervisors Maxwell, Peskin, Newsom**

Resolution commending the Visitacion Valley Planning Alliance for its dedication and work on behalf of the residents of the southeast neighborhoods of San Francisco and the City as a whole.

1/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010097 [Consumer Bailouts, Electric Rate Increases]
Supervisors Ammiano, Peskin, Daly**

Resolution opposing any proposed "consumer bailouts" and any electric rate increases, and further requests greater community input at the California Public Utilities Commission, as well as a commitment by the California Public Utilities Commission to enhance its low-income programs to ensure that all eligible low-income customers of PG&E have weatherization and are part of the present care program.

1/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010098 [Relief efforts, El Salvador]
Supervisors Ammiano, Sandoval, Peskin, Daly**

Resolution urging President Bush, the United States Senate and the House of Representatives to use all available resources and funds to augment and expedite existing relief efforts to the people of El Salvador; and further expressing condolences to the family members of those who have passed away in El Salvador as well as sympathy and a speedy recovery to those have been injured by the earthquake; and sympathy to those living in the San Francisco Bay Area who have relatives in El Salvador that have been impacted by the earthquake.

1/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010099 [Zoning - Extend Planning Commission review time, Tobacco Retail Sales]
Supervisor Ammiano**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code to regulate Tobacco Retail Uses.

1/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**010072 [Commission on the Aging's Unmet Needs]
Supervisor Ammiano**

Hearing to consider the Commission on the Aging's most recent list of unmet needs, including congregate meals, home delivered meals, in-home supportive services, case management, housing, counseling and related personnel and operational expenses.

1/16/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

**010073 [Housing Budget Increase]
Supervisor Daly**

Hearing to consider a proposal to increase the City's affordable housing budget by 25 percent and set aside 25 percent of this increase for housing for the City's senior citizens.

1/16/01, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**010074 [Treasure Island Quality of Life Issues]
Supervisor Daly**

Hearing to consider quality of life issues on Treasure Island including, but not limited to signage, lighting, MUNI routes and frequency of MUNI service, education, health care, cable/DSL service and cell phone coverage.

1/16/01, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

**010075 [Affordable Housing Bond]
Supervisor Daly**

Hearing to consider placing a new affordable housing bond on this November's ballot.

1/16/01, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**010076 [Nightlife Permit Requirements]
Supervisor Daly**

Hearing to review and clarify the City's requirements regarding nightlife permits in the South of Market area and City-wide.

1/16/01, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

**010077 [Taxi Commission]
Supervisor Daly**

Hearing to review and consider the effectiveness of the practices and policies of the City's Taxi Commission.

1/16/01, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

**010084 [Universal Health Coverage for Children]
Supervisor Leno**

Hearing to discuss the feasibility of creating a program to provide universal health coverage for all children in the City and County of San Francisco .

1/16/01, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**010085 [Public Safety]
Supervisors Maxwell, Sandoval, Newsom**

Hearing to address the recent violence throughout San Francisco's neighborhoods, including the New Year's Eve drive-by murders in Bayview Hunters Point, muggings and killings in Visitacion Valley, killings in the Western Addition and the Richmond, and the shooting at Balboa High School in Excelsior.

1/16/01, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

**010086 [Strategic Planning for Pedestrian Safety]
Supervisors Newsom, Leno**

Hearing to determine how the City intends to spend 2.4 million dollars per year from its newly created pedestrian safety fund and also to hear the status of City's existing red light running and pedestrian safety programs, including red light running cameras and the top ten policy points resulting from the City's Pedestrian Safety Summit.

1/16/01, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

**010087 [Customer Service]
Supervisor Newsom**

Hearing on customer service planning for City departments in implementing the Performance and Review Ordinance and creating strategic plans, including but not limited to the recently released Recreation and Park Department Strategic Plan.

1/16/01, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee.

**010088 [Narcotics at San Francisco Jails]
Supervisor Newsom**

Hearing to gauge the extent of the problem of drugs smuggled into jails in San Francisco, look at additional ways of preventing this problem, and to consider whether treatment programs in jail are sufficient to meet the need.

1/16/01, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

**010089 [Adolescent Health]
Supervisor Newsom**

Hearing on ways to holistically incorporate all aspects of adolescent health funding: including mentoring, teen suicide, universal health care, school clinics, counseling and mental health services.

1/16/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

**010090 [Treatment on Demand]
Supervisor Newsom**

Hearing to determine how the Treatment on Demand program is being implemented; number of people on waiting lists; the impact of implementing Proposition 36; and additional common sense drug policies such as preventing death by overdose.

1/16/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

**010091 [Dog Policy on Park Land]
Supervisor Newsom**

Hearing to ascertain the plans to modify the 1979 Dog Policy instituted by the National Park Service to allow off-leash dogs, which is now in jeopardy of being modified by the Golden Gate National Recreation Area, especially at Crissy Field.

1/16/01, RECEIVED AND ASSIGNED to Parks and Recreation Committee.

**010092 [Security at Hall of Justice]
Supervisor Newsom**

Hearing to investigate building security at the Hall of Justice, especially the witness protection program.
1/16/01, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

**010093 [Gang Violence]
Supervisor Sandoval**

Hearing to explore causes of and solutions to the recent gang violence, particularly in Districts 10 and 11.
1/16/01, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

**010094 [Utility Bill Relief Measure]
Supervisor Yee**

Hearing to consider foregoing increase in revenue from utility surcharges in order to provide utility bill relief, to include the following: (1) Establishment of a fund to reduce utility bills for senior citizens and individuals on fixed incomes. (2) Sources and uses of utility surcharges including 5 percent utility users' tax; 1 percent gas revenue franchise fee; 1/2 percent electrical revenue franchise fee; .05 percent State Energy Commission fee; 1 percent public purpose program charge. (3) Use of proceeds generated from increase in surcharge revenue (which result from overall utility rate increase) to fund the relief measure.
1/16/01, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

**010100 [Price Increases at San Francisco Zoo]
Supervisor Ammiano**

Hearing to inquire into proposed price increases at the San Francisco Zoo.
1/16/01, RECEIVED AND ASSIGNED to Finance and Labor Committee.

Motions

**010083 [Rules of Order; Committees]
Supervisor Ammiano**

Motion amending the Rules of Order of the Board of Supervisors of the City and County of San Francisco, by repealing Sections 5.1 through 5.11 and replacing them with new Sections 5.1 through 5.10, thereby creating a new committee structure of the Board.
1/16/01, RECEIVED AND ASSIGNED to Rules Committee.

**010103 [Legislative Analyst Request]
Supervisor Leno**

Motion asking the Legislative Analyst to prepare comparative study of municipal Police and Sheriff Department policies for holding and managing special needs groups, such as transgender individuals, people with physical and mental disabilities and other special populations. The primary research interest is to identify strategies for safe management and care of special needs populations. Research should address issues such as solitary/group management, funding, and other considerations. This request includes no specific municipalities for study, with the exception of the City of Oakland and the City of San Francisco. Other Cities may be studied by the discretion of the Analyst.

1/16/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration January 22, 2001.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

010006 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Lesha Taylor and Melanie Vaughn against the City and County of San Francisco for \$100,000; the lawsuit was filed on March 24, 1999 in San Francisco Superior Court, Case No. 302210; entitled David L. Taylor et al. v. City and County of San Francisco, et al. (City Attorney) 12/21/00, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee. Confidential letter dated December 11, 2000 is on file with the Clerk of the Board.

010028 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by David L. Birkholz, An Incompetent, et al. versus the City the County of San Francisco for \$50,000.00; the lawsuit was filed on 6/22/95 in Superior Court of San Francisco, Case No. 970-567; entitled David L. Birkholz, An Incompetent, et al. v. State of California, City and County of San Francisco, et al; material terms of said settlement are: in consideration of City making payment of \$50,000.00 to the plaintiff, the plaintiff agrees to dismiss the suit against the City and County of San Francisco and all the individually named City employee defendants. (City Attorney) 1/3/01, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee. Confidential letter dated November 27, 2000 is on file with the Clerk of the Board.

010041 [Memorandum of Understanding Amendment No. 3 - Electrical Workers, Local 6]

Ordinance implementing Amendment No. 3 to the 1997-2001 Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local 6 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department) 1/5/01, RECEIVED AND ASSIGNED to Finance and Labor Committee.

010042 [Memorandum of Understanding Amendment No. 3 - Glaziers, Local 718]

Ordinance implementing Amendment No. 3 to the 1997-2001 Memorandum of Understanding between the Glaziers, Architectural Metal and Glass Workers, Local Union 718 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department) 1/5/01, RECEIVED AND ASSIGNED to Finance and Labor Committee.

- 010043 **[Memorandum of Understanding Amendment No. 4 - Laborers, Local 261]**
Ordinance implementing Amendment No. 4 to the 1997-2001 Memorandum of Understanding between the Laborers International Union, Local 261 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department)
1/5/01, RECEIVED AND ASSIGNED to Finance and Labor Committee.
- 010044 **[Memorandum of Understanding Amendment No. 3 - Machinists, Local 1414]**
Ordinance implementing Amendment No. 3 to the 1997-2001 Memorandum of Understanding between the Machinists Union, Local 1414, International Association of Machinists and Aerospace Workers, Machinists Automotive Trades District Lodge 190 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department)
1/5/01, RECEIVED AND ASSIGNED to Finance and Labor Committee.
- 010045 **[Memorandum of Understanding Amendment No. 2 - Pile Drivers, Local 34]**
Ordinance implementing Amendment No. 2 to the 1997-2001 Memorandum of Understanding between the Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department)
1/5/01, RECEIVED AND ASSIGNED to Finance and Labor Committee.
- 010046 **[Memorandum of Understanding Amendment No. 1 - Plumbers, Local 38]**
Ordinance implementing Amendment No. 1 to the 1997-2001 Memorandum of Understanding between the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local No. 38 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department)
1/5/01, RECEIVED AND ASSIGNED to Finance and Labor Committee.
- 010054 **[Termination of existing sewer easement and acceptance of replacement sewer easement between Tandang Sora Street and 4th Street]**
Ordinance authorizing the termination of an existing sewer easement and the acceptance of the grant of a replacement sewer easement between Tandang Sora Street and 4th Street, and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)
1/10/01, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

PROPOSED RESOLUTIONS

- 010001 **[Contract funds to assist in a study of social movements and HIV/AIDS in Brazil]**
Resolution authorizing the Department of Public Health (Subgrantee) to enter retroactively into an agreement in the amount of \$16,431 with the Trustees of Columbia University (CU) for Charles H. Klein as Co-Principal Investigator and Subgrantee employee to assist in coordination, developing data collection instruments, maintaining data quality assurance, and coordinating data analysis for a study of social movements and HIV/AIDS in Brazil; retroactively to March 1, 2000. (Public Health Department)
12/27/00, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

010002 [Contract funds from YMCA of San Francisco to provide health services to OMI/Excelsior Neighborhood Beacon Center participants]

Resolution authorizing the Department of Public Health, Balboa Teen Health Center (the "Contractor"), to enter retroactively into an independent contractor services agreement in the amount of \$19,302 with the OMI/Excelsior Neighborhood Beacon Center/Urban Services YMCA of San Francisco (the "Client") to provide health services to Beacon Center participants; retroactive to July 1, 2000. (Public Health Department) 12/29/00, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

010003 [Regional Transportation Improvement Program (RTIP) grant funds for various transportation capital projects]

Supervisor Newsom

Resolution authorizing the Director of the Department of Public Works to accept and expend a grant in the amount of \$7,630,000 in Regional Transportation Improvement Program funds for various transportation capital projects. (Public Works Department)

12/27/00, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

Supervisor Newsom requested to be added as sponsor.

010004 [One-year extension to temporarily close portion of sidewalk and street area on Jessie Street for construction at 680 Mission Street]

Resolution granting a one year extension of revocable permission to Pankow Residential Building II, L.P. to temporarily close and occupy the south sidewalk and a portion of the street area on Jessie Street during construction operations at 680 Mission Street (Block 3707, Lot 26). (Public Works Department)

12/27/00, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

010005 [Encroachment permit on McAllister Street for the Asian Art Museum]

Resolution granting revocable permission to the Asian Art Museum of San Francisco to excavate, install, and occupy a portion of the right-of-way with a new transformer vault and a base isolation structural system with a perimeter moat, allowing 5'-0" of total building movement in an earthquake, at the McAllister Street frontage of the Asian Art Museum at 200 Larkin Street (Block 353, Lot 1) and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

12/27/00, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

**010029 [Grant funds from Bay Area Air Quality Management District for bicycle racks]
Supervisors Leno, Newsom**

Resolution authorizing the Executive Director of the Department of Parking and Traffic or his designee to accept and expend \$97,600 from the Transportation Fund for Clean Air in the Bay Area to install bicycle racks in various locations and waiving indirect costs. (Parking and Traffic Department)

1/3/01, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

Supervisors Leno, Newsom requested to be added as co-sponsors.

010033 [Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - ESTABLISH

Crestmont Drive, south side, from the extension of the east property line of #409/#411 Crestmont Drive to approximately 145 feet westerly (145-foot zone)

NO PARKING ANYTIME - RESCIND**TAXI ZONE - ESTABLISH**

Dr. Carlton B. Goodlett Place (Polk Street), east side, from 300 feet to 330 feet north of Grove Street (30-foot zone)

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Waller Street, south side, between Divisadero and Scott Streets

RESIDENTIAL PERMIT PARKING AREA "I" (1-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

26th Street, south side, between Folsom and Harrison Streets (3100 block, odd-numbered addresses only)

Cesar Chavez Street, north side, between Folsom and Harrison Streets (3100 block, even-numbered addresses only)

Folsom Street, east side, between 26th and Cesar Chavez Streets (3000 block, odd-numbered addresses only)

Harrison Street, west side, between 26th and Cesar Chavez Streets (3000 block, even-numbered addresses only)

Kamille Court, both sides, between Folsom and Harrison Streets (3100 block)

Treat Way, both sides, between 26th and Cesar Chavez Streets (1300 and 1400 blocks)

RESIDENTIAL PERMIT PARKING AREA "I" - ESTABLISH

2677 Mission Street, east side, between 22nd and 23rd Streets (adds specified address only)

RESIDENTIAL PERMIT PARKING AREA "F" (2-HOUR TIME LIMIT, 9 AM - 4 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**RESIDENTIAL PERMIT PARKING AREA "F" (3-HOUR TIME LIMIT, 9 AM - 4 PM, MONDAY THROUGH FRIDAY) - RESCIND**

Arguello Boulevard, east side, between Jackson and Washington Streets (unit block, even-numbered addresses only)

Cherry Street, both sides, between West Pacific Avenue and Washington Street (unit and 100 blocks)

Jackson Street, both sides, between Arguello Boulevard and Maple Street (3700 and 3800 blocks)

Maple Street, both sides, between West Pacific Avenue and Washington Street (unit and 100 blocks)

RESIDENTIAL PERMIT PARKING AREA "G" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Gough Street, west side, between Post and Sutter Streets (1400 block, odd-numbered addresses only)

Post Street, north side, from Gough Street to 118 feet westerly (#1400-#1410, even-numbered addresses only)

Sutter Street, south side, between Gough and Octavia Streets (1500 block, odd-numbered addresses only)

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Lily Street, both sides, from Buchanan Street to west terminus (400 block)

RESIDENTIAL PERMIT PARKING AREA "W" (1-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

26th Street, both sides, between Florida and Alabama Streets (3000 block)

DIAGONAL (60-DEGREE ANGLE) PARKING - RESCIND

Golden Gate Avenue, south side, from Roselyn Terrace to 30 feet easterly (30-foot zone, eliminates 3 parking

UNMETERED MOTORCYCLE PARKING - RESCIND

Golden Gate Avenue, south side, from 53.5 feet to 60.5 feet west of Roselyn Terrace (7-foot zone accommodating 2 motorcycle stalls, to be relocated and expanded)

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Golden Gate Avenue, south side, from Roselyn Terrace to 22 feet westerly (22-foot zone accommodating 6 motorcycle stalls) (Parking and Traffic Department)

(DPT Order No. 2140.)

1/5/01, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

010032

[Stop Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

15th Avenue and Ortega Street, northwest and southeast corners, stopping 15th Avenue (makes this an all-way STOP)

Bradford and Mojave Streets, all corners, stopping all approaches (makes this uncontrolled intersection an all-way STOP)

Bronte and Jarboe Streets, all corners, stopping all approaches (makes this uncontrolled intersection an all-way STOP)

Putnam and Jarboe Streets, all corners, stopping all approaches (makes this uncontrolled intersection an all-way STOP)

Foerster Street and Joost Avenue, northwest and southeast corners, stopping Foerster Street (makes this an all-way STOP)

Naples Street and Seville Street/Brunswick Street, northwest and southeast corners, stopping Naples Street (makes this an all-way STOP)

Pierce Street and Capra Way, northwest and southeast corners, stopping Pierce Street (makes this an all-way STOP)

Somerset and Campbell Streets, southwest corner, stopping eastbound Campbell Street (stops one leg of this Y-intersection) (Parking and Traffic Department)

(DPT Order No. 2140.)

1/5/01, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

010034 [Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets.

MULTIPLE LEFT TURN LANES - ESTABLISH

Front Street, northbound, at Pine Street (mandatory left turn from two left lanes)

NO RIGHT TURNS, 6 AM - 9 AM, MONDAY THROUGH FRIDAY - ESTABLISH

Marina Boulevard, eastbound, at Baker Street

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

18th Street, both sides, between 3rd and Illinois Streets

19th Street, both sides, between 3rd and Illinois Streets

Illinois Street, west side, from 19th Street to a point 271 feet south of 18th Street (129-foot zone)

Drumm Street, east side, from Market Street to 70 feet northerly (70-foot zone)

Front Street, west side, from Market Street to 22 feet northerly (22-foot zone at meter #1)

King Street, north side, from 7th Street to 310 feet westerly (310-foot zone)

TOW-AWAY, NO STOPPING, 3 PM - 6 PM, MONDAY THROUGH FRIDAY - RESCIND**TOW-AWAY, NO STOPPING, 7 AM - 9 AM AND 3 PM - 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH**

Front Street, east side, from Pine Street to 86 feet southerly (86-foot zone)

Front Street, west side, between Market and Pine Streets (Parking and Traffic Department)

(DPT Order No. 2140.)

1/5/01, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

010039 [Airport Lease Agreement Modification for United Airlines, Inc.]

Resolution approving Lease Modification Number Three for Lease No. 73-0066 between United Airlines, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

1/2/01, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**010047 [Law Enforcement Training]
Supervisor Newsom**

Resolution authorizing the Chief of Police to execute an agreement with the State of California to obtain funding in the amount of One Hundred Three Thousand Three Hundred Fifty Eight Dollars (\$103,358) for obtaining training equipment. (Police Department)

1/8/01, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

010048 [Grant funds for District Attorney's organized automobile fraud activity prosecution program]

Resolution authorizing retroactively the District Attorney of the City and County of San Francisco to apply for, accept and expend funds made available through the California Department of Insurance (DOI) for a project entitled "Organized Automobile Fraud Activity Interdiction ("Urban Grant") Program", and including indirect cost not to exceed 5% of grant-funded personnel costs. (District Attorney)

1/9/01, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

010049 [Grant funds from the Bay Area Air Quality Management District for the purpose of supporting efforts to improve air quality]

Resolution authorizing the City Administrator and the Director of the Department of the Environment to accept and expend \$900,000 from the Bay Area Air Quality Management District's Transportation Fund for Clean Air and authorizing the City Administrator and the Director of the Department of the Environment to execute agreements with the Bay Area Air Quality Management District, whereby, the City would indemnify the District from claims resulting from the City's performance of said agreements. (City Administrator)

1/9/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

010052 [Airport Lease Agreement for Plot 6 to United Airlines, Inc.]

Resolution approving lease agreement for Plot 6 between United Airlines, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

1/10/01, RECEIVED AND ASSIGNED to Finance and Labor Committee.

010053 [Lease of property at 1421 Broderick Street for Department of Public Health to operate a residential care facility for persons who need 24-hour care and supervision]

Resolution authorizing and approving the lease by and between the City and County of San Francisco, for the Department of Public Health, as tenant, and Seto Family Trust, as landlord, for the property located at 1421 Broderick Street. (Real Estate Department)

1/10/01, RECEIVED AND ASSIGNED to Finance and Labor Committee.

Requests Granted

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft legislation to enumerate rights of visitors to single room occupancy (SRO) hotels, and to prohibit operators of single room occupancy hotels from charging fees for visitors, and to require posting of this ordinance.

From: Supervisor Daly

To: Controller

Requesting/Inquiring: Requesting the Controller to prepare a supplemental appropriation in the amount of two million dollars for senior services.

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft legislation rescinding current law requiring nightclub operators to obtain a dancehall keepers' permit.

From: Supervisor Leno

To: City Attorney

Requesting/Inquiring: To draft legislation to change the name of the Commission of Animal Control and Welfare to the Commission of Animal Welfare and to remove all references to the Chief Administrative Office from Section 41 of the Health Code and substitute all references to the Mayor, and to eliminate Section 41.2C.

From: Supervisor Leno

To: City Attorney

Requesting/Inquiring: To draft legislation which mandates fines for illegal conversions of live/work and industrial buildings into office space, possibly including the increase of exaction fees.

From: Supervisor Newsom

To: General Superintendent, Golden Gate National Recreation Area (GGNRA)

Requesting/Inquiring: To delay any action by GGNRA setting policy on off-leash dogs at Crissy Field and other properties until after the Board of Supervisors has had opportunity to hold a hearing on this issue with all interested stakeholders; to be scheduled for hearing within a month. File 010091

From: Supervisor Peskin

To: City Attorney

Requesting/Inquiring: To investigate and report if the City and County of San Francisco has the authority to require recorded phone messages made on behalf of political campaigns to identify their primary source of funding, and if so, how this requirement can be codified into city law.

From: Supervisor Peskin

To: City Attorney

Requesting/Inquiring: To investigate and report if it is possible under the existing City Charter to make it a policy of the Board of Supervisors to review all appointments to local governmental bodies addressing land use (Planning Commission, Board of Permit Appeals, and Landmarks Preservation Advisory Board) and if this is possible, how this would be achieved.

From: Supervisor Yee

To: City Attorney

Requesting/Inquiring: To draft legislation to amend the Administrative Code to establish a one week amnesty program to waive late fees on overdue Library materials.

From: Supervisor Yee

To: Director, Planning Department

Requesting/Inquiring: To provide a comprehensive report on cellular antenna sites in San Francisco. The report should include microcell antennas as well as cell site location in relation to schools and child care centers.

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Brian Edward Cotter (Supervisor Hall)

Henri Denize (Supervisor McGoldrick)

Darwin McCredie (Supervisor Leno)

Eleanor Smith Fox (Supervisor Leno)

Mark Taylor (Supervisor Leno)

Joseph Whited (Supervisor Ammiano)

ADJOURNMENT

There being no further business, the Board at the hour of 4:11 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 5, 2001.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 1 Dr. Carlton B.
Goodlett Place*

San Francisco, CA 94102-4689

DOCUMENTS DEPT.

MEETING MINUTES

JUN 12 2001

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Monday, January 22, 2001 2:00 PM

**Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689**

Regular Meeting

TOM AMMIANO, PRESIDENT

***CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE MCGOLDRICK, GAVIN NEWSOM
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE***

Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Meeting Days

Audit and Government Efficiency Committee

City and School District Committee

Finance and Labor Committee

Housing and Social Policy Committee

Parks and Recreation Committee

Public Health and Environment Committee

Rules Committee

Small Business, Economic Vitality and Consumer Services Committee

Transportation and Land Use Committee

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Sophie Maxwell, Jake McGoldrick, Mark Leno, Gavin Newsom, Aaron Peskin, Leland Y. Yee.

Members Absent: Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisor was noted absent:

Supervisor Sandoval - 1.

Quorum present.

Supervisor Sandoval was excused. (See infra.)

Supervisor Sandoval Excused from Attendance

Supervisor Newsom, seconded by Supervisor Yee, moved to excuse Supervisor Sandoval from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee

Absent: 1 - Sandoval

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued or considered differently.

Supervisor Ammiano indicated the three closed session matters will be considered at the end of the regular agenda, Files 010079, 010080 and 010081. (See infra.)

Supervisor Leno indicated the matter relating to bicycle lanes on Valencia Street, File 010066. (See infra.)

Supervisor Daly indicated the matters relating to Mission Bay parcel and final maps. Files 010095 and 010101. (See infra.)

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Audit and Government Efficiency Committee

001965 [Administrative Code Revision, Chapter 23, Real Property]
Supervisors Kaufman, Newsom

Ordinance amending Articles I, II, III, IV, V, VI, and VII of Chapter 23 of the San Francisco Administrative Code by amending, repealing, and renumbering various sections regarding real property transactions.

Ordinance No. 15-01

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee

Absent: 1 - Sandoval

Appointment of President Pro Tempore

At the request of the President, Supervisor Yee assumed the Chair so the President could participate in the debate from the floor concerning the following item.

Recommendation of the Transportation and Land Use Committee

002106 [Urban Forestry Council]
Supervisors Leno, Katz, Bierman

Ordinance amending San Francisco Municipal Code Part 1 (Administrative Code) Chapter 5 by adding Article XX111 to create an Urban Forestry Council and to delineate powers and duties for such Council.

(1/02/2001 - Supervisor Yee dissenting in Board.)

(1/22/2001 - Supervisor Hall dissenting in Board.)

Supervisor Ammiano moved an amendment of the whole, bearing new title (technical amendments).

President Ammiano, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee

Noes: 1 - Hall

Absent: 1 - Sandoval

Ordinance amending San Francisco Administrative Code Chapter 5 by adding Article XX111 to create an Urban Forestry Council and to delineate powers and duties for such Council.

(1/2/2001 - Supervisor Yee dissenting in Board.)

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee

Noes: 1 - Hall

Absent: 1 - Sandoval

The President resumed the Chair.

NEW BUSINESS

Recommendations of the Finance and Labor Committee

- 001796 [Creating a Special Assistant XVI position at the Board of Appeals, while Director is on medical leave] Ordinance appropriating \$73,364 from the General Fund Reserve to fund the salary and fringe benefits of a Special Assistant XVI at the Board of Appeals, while Director is on medical leave and operating expenses, and amending Annual Salary Ordinance for fiscal year 2000-01; placing \$36,682 on reserve. (Controller)

(Companion measure to File 001797.)

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee
Absent: 1 - Sandoval

- 001797 [Public Employment, Board of Appeals]
Ordinance amending Ordinance No. 181-00 (Annual Salary Ordinance, 2000/01) reflecting the creation of one position at the Board of Appeals. (Human Resources Department)

(Companion measure to File 001796.)

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee
Absent: 1 - Sandoval

- 002087 [Fund litigation and mediation expenses for VIACOM, AT&T, and TCI appeals for the Assessor's Office]
Ordinance appropriating \$471,593 of the General Reserve to fund the litigation and mediation expenses associated with the VIACOM, AT&T, and TCI appeals for the Assessor's Office for fiscal year 2000-01. (Controller)

(Fiscal impact.)

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee
Absent: 1 - Sandoval

- 002184 [Funding for operating costs and implementation of a State required Customer Service Unit]
Supervisor Newsom

Ordinance appropriating \$780,837 to support both continuing operating costs and the implementation of a State required Customer Service Unit (\$535,537 for Child Support Service Division and \$245,300 for CSS Cases Consortium) and the creation of two positions at the Department of Child Support for fiscal year 2000-01; ratifying action previously taken. (Controller)

(Fiscal impact; Companion measure to File 002183.)

Supervisor Newsom requested to be added as sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee
Absent: 1 - Sandoval

002183 [Creating two (2) positions in Child Support Services]

Ordinance amending Ordinance No. 181-00 (Annual Salary Ordinance, 2000/01) reflecting the creation of two positions in Child Support Services. (Human Resources Department)

(Fiscal impact; Companion measure to File 002184.)

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee

Absent: 1 - Sandoval

002163 [Contracting out City services]

Mayor, Supervisor Newsom

Resolution concurring, retroactively, with the Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed for the District Attorney's Victim Witness Assistance Program by a private contract for a lower cost than similar work services performed by City and County employees.

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 36-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee

Absent: 1 - Sandoval

002185 [Lease of property for DPH-Health Promotion and Prevention Unit currently located at 101 Grove Street, to alleviate overcrowding]

Resolution authorizing the lease of 11,125 square feet at 30 Van Ness Avenue for the Department of Public Health. (Public Health Department)

(Fiscal impact.)

Resolution No. 54-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee

Absent: 1 - Sandoval

002186 [Option to extend lease at One Market Plaza (Steuart Tower, Second Floor) for Dept. of Telecommunications and Information Services]

Resolution authorizing the exercise of option regarding an extension of a real property lease at One Market Plaza, on behalf of the Department of Telecommunications and Information Services. (Real Estate Department)

(Fiscal impact.)

Resolution No. 55-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee

Absent: 1 - Sandoval

002191 [Contract for Electric Service, Treasure Island and Yerba Buena Island]

Resolution approving the contract between the City and County of San Francisco and the United States, through the Department of Energy Western Area Power Administration, for the delivery of low cost electric power for use at Treasure Island on file with the Clerk of the Board of Supervisors File No. 002191; and approving indemnifying and holding harmless the United States against claims arising from the activities of the City under the contract; and waiving requirement of Section 21.35 of the San Francisco Administrative Code that every contract contain a statement regarding liability of claimants for submitting false claims; and waiving requirement of Section 21.19 of the San Francisco Administrative Code that every contract contain a statement regarding guaranteed maximum costs. (Public Utilities Commission)

(Fiscal impact.)

Resolution No. 56-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee
Absent: 1 - Sandoval

COMMITTEE REPORTS

Recommendation of Rules Committee

010083 [Rules of Order; Committees]
Supervisor Ammiano

Motion amending the Rules of Order of the Board of Supervisors of the City and County of San Francisco, by repealing Sections 5.1 through 5.11 and replacing them with new Sections 5.1 through 5.10, thereby creating a new committee structure of the Board.

Motion No. M01-4

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee
Absent: 1 - Sandoval

PUBLIC COMMENT

Abdalla Megahed, homeless need blankets;
Michael Petrelis, AIDS policy, accountability of a \$1 million dollar expenditure, secret meetings;
James Pye, Western Addition, urge Supervisor's involvement with the district;
Richard Shulke, Chairperson of the Animal Control and Welfare Commission, opposes proposal to change pet policy regarding off-leash issue;
David Pasquarelli, Michael Bellafontaine, oppose Federal government drug treatment program, which are toxic, for people tested positive with HIV and AIDS;
Frederick Hobson, urge passage of legislation regarding increasing funding for drug treatment beds;
Malik Rahim, selection procedure for contractors for HOPE 6 program;
Bryan Fox, Department of Motor Vehicle renewal process misleading statement on renewal form;
Michael, supports a third aide to the Supervisors or intern program;
Robert Pender, Park Merced regular meeting first Sunday of the month;
Sala Haki, director, Real Live Mermaid program, outreach to children;
Edmund Larry, joins Act Up in their request to investigate expenditure of AIDS funding and method of treatment program;
Camille, hospital charity case, nondiscrimination policy, prescribed addictive drug use (riddelin), oppose shock treatment;
Doug Comstock, Coalition for San Francisco Neighborhood, supports a third aide proposal;
Floyd Brown, urge HUD SFHA ask nonprofits that run housing program be required to award all tenants Section 8 status;
Bruce, supports establishing a third aide for each supervisor.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

010103

[Legislative Analyst Request]

Supervisor Leno

Motion asking the Legislative Analyst to prepare comparative study of municipal Police and Sheriff Department policies for holding and managing special needs groups, such as transgender individuals, people with physical and mental disabilities and other special populations. The primary research interest is to identify strategies for safe management and care of special needs populations. Research should address issues such as solitary/group management, funding, and other considerations. This request includes no specific municipalities for study, with the exception of the City of Oakland and the City of San Francisco. Other Cities may be studied by the discretion of the Analyst.

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee
Absent: 1 - Sandoval

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation as Plaintiff

010079 [Potential Litigation]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding anticipated litigation (City anticipated to be a plaintiff) which may be filed for the purpose of joining in litigation intended to direct responsibility for lead poisoning liability upon companies and industries that have used lead in their products and concealed the dangers of lead-based paint from the government and the public. The litigation that the City may join is:

County of Santa Clara v. Atlantic Richfield, Lead Industries, Association, American Cyanamid, Du Pont De Nemours and Company, The O'Brien Corporation, The Glidden Company, NL Industries, Inc., SCM Chemicals, The Sherwin-Williams Company, et al. Santa Clara County Superior Court No. CV788657, filed on March 23, 2000.

This closed session would be permitted by Government Code Section 54956.9(c), and San Francisco Administrative Code Section 67.10(d). (City Attorney)

Supervisor Peskin, seconded by Supervisor Leno, moved to convene in closed session. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee
Absent: 1 - Sandoval

Present:

Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Yee.

City Attorney Louise H. Renne;

Controller Ed Harrington;

Treasurer Susan Leal;

Outside counsel Karen Snell;

Deputy City Attorney: Julie Van Nostern, Joe Quinn, Malcom Carson, Owen Martikan, Owen Clements, Ted Lakey;

Clerk of the Board Gloria L. Young;

Deputy Clerk Jean Lum.

Closed Session Tape No. 01 001.

HEARD IN CLOSED SESSION.

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation as Plaintiff**010080 [Potential Litigation]**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding anticipated litigation (City anticipated to be a plaintiff) which may be filed for the purpose of ensuring the provision of safe, reliable, and affordable energy for the residents and businesses of San Francisco.

This closed session would be permitted by Government Code Section 54956.9(c), and San Francisco Administrative Code Section 67.10(d). (City Attorney)

Supervisor Peskin, seconded by Supervisor Leno, moved to convene in closed session. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee
Absent: 1 - Sandoval

Present:

Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Yee.

City Attorney Louise H. Renne;

Controller Ed Harrington;

Treasurer Susan Leal;

Outside counsel Karen Snell;

Deputy City Attorney: Julie Van Nostern, Joe Quinn, Malcom Carson, Owen Martikan, Owen Clements, Ted Lakey;

Clerk of the Board Gloria L. Young;

Deputy Clerk Jean Lum.

Closed Session Tape No. 01 002.

HEARD IN CLOSED SESSION.

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

010081 [Existing Litigation]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the plaintiffs and claimants, various businesses, are, in sum, challenging the constitutionality of the City's business taxing system. These plaintiffs and claimants are also seeking reimbursement of tax payments made to the City:

Eastman Kodak Company v. San Francisco
San Francisco Superior Court No. 302-983
Date filed: 4/22/99

General Motors Corporation v. San Francisco
San Francisco Superior Court No. 301-510

EOP-580 California Street, L.L.C., et al. v. San Francisco
San Francisco Superior Court No. 315-704

General Motors Corporation, et al. v. San Francisco
San Francisco Superior Court No. 312-487

Hewlett-Packard, et al. v. San Francisco
San Francisco Superior Court No. 306-787

The Neiman Marcus Group, Inc. v. San Francisco
San Francisco Superior Court No. 310-061

Panther Creek Leasing, Inc. et al. v. San Francisco
San Francisco Superior Court No. 307-873

Providian Financial Corporation, et al. v. San Francisco
San Francisco Superior Court No. 316-461

Signature Network, Inc., et al. v. San Francisco
San Francisco Superior Court No. 312-489

Union Pacific Railroad Co., et al. v. San Francisco
San Francisco Superior Court No. 309-421

Various other related cases and claims against San Francisco filed by other businesses.

This closed session would be permitted by Government Code Section 54956.9(c), and San Francisco Administrative Code Section 67.10(d). (City Attorney)

Supervisor Peskin, seconded by Supervisor Leno, moved to convene in closed session. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee
Absent: 1 - Sandoval

Present:

Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Yee.

City Attorney Louise H. Renne;

Controller Ed Harrington;

Treasurer Susan Leal;

Outside counsel Karen Snell;

Deputy City Attorney: Julie Van Nostern, Joe Quinn, Malcom Carson, Owen Martikan, Owen Clements, Ted Lakey;

Clerk of the Board Gloria L. Young;

Deputy Clerk Jean Lum.

Closed Session Tape No. 01 003.

HEARD IN CLOSED SESSION.

Supervisor Peskin requested this matter be continued to February 5, 2001.

Supervisor Peskin, seconded by Supervisor Daly, moved that this Litigation be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Yee

Absent: 2 - Newsom, Sandoval

Recess

The Board recessed at the hour of 4:02 p.m. to convene in closed session pursuant to the above motions.

Reconvening of the Board

The Board at the hour of 5:18 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Yee - 9.

Noted absent: Supervisors Newsom, Sandoval - 2.

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board of Supervisors has met in closed session with the City Attorney, under the provisions cited in the above motions for the purpose of conferring with, or receiving advice from, the City Attorney regarding the above pending litigations.

The meeting was informational only and no action was taken.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Supervisor Leno, seconded by Supervisor Yee, moved to not disclose its closed session deliberations concerning the above three litigation listed above. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Yee

Absent: 2 - Newsom, Sandoval

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

- 010064 [Catholic Healthcare West and Sutter Health]
Supervisors Ammiano, Peskin, Daly

Resolution supporting the objectives of SEIU Local 250 members in their contract negotiations with Catholic Healthcare West (CHW) and Sutter Health and calling on CHW and Sutter to settle fair contracts with SEIU Local 250 that satisfy these objectives without further delay.

Supervisors Peskin, Daly requested to be added as co-sponsors.

Resolution No. 57-01

ADOPTED

- 010065 [Substance Abuse Treatment Slots]
Supervisor Daly

Resolution urging the Department of Public Health to develop a comprehensive plan to create 1,500 additional substance abuse treatment slots.

Resolution No. 66-01

ADOPTED

- 010067 [Reasonable rates for California electric consumers]
Supervisors Leno, Gonzalez, Maxwell, McGoldrick, Daly

Resolution urging the California Public Utilities Commission and the California Legislature to ensure reasonable electric rates and deny utility requests for additional rate increases.

Supervisor Daly requested to be added as co-sponsor.

Resolution No. 58-01

ADOPTED

**010068 [Zoning - Extension of Planning Commission Review Period]
Supervisor Leno**

Resolution extending the prescribed time within which the Planning Commission may render its decision on proposed ordinances to amend the Planning Code to create the Glen Park Special Use Subdistrict.

Resolution No. 59-01
ADOPTED

**010069 [Gift acceptance]
Supervisor Newsom**

Resolution authorizing the Controller's Office to accept a gift of \$7,723.71 from the Supervisor Gavin Newsom Campaign Committee for the purchase of speed bumps on West Clay Street.

Resolution No. 60-01
ADOPTED

**010070 [Mortgage Credit Certificates]
Mayor**

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates.

Resolution No. 61-01
ADOPTED

**010071 [Commendation - Visitacion Valley Planning Alliance]
Supervisors Maxwell, Peskin, Newsom**

Resolution commending the Visitacion Valley Planning Alliance for its dedication and work on behalf of the residents of the southeast neighborhoods of San Francisco and the City as a whole.

Supervisors Peskin, Newsom requested to be added as co-sponsors.
Resolution No. 62-01
ADOPTED

**010097 [Consumer Bailouts, Electric Rate Increases]
Supervisors Ammiano, Peskin, Daly**

Resolution opposing any proposed "consumer bailouts" and any electric rate increases, and further requests greater community input at the California Public Utilities Commission, as well as a commitment by the California Public Utilities Commission to enhance its low-income programs to ensure that all eligible low-income customers of PG&E have weatherization and are part of the present care program.

Supervisors Peskin, Daly requested to be added as co-sponsors.
Resolution No. 67-01
ADOPTED

010098 [Relief efforts, El Salvador]
Supervisors Ammiano, Sandoval, Peskin, Daly

Resolution urging President Bush, the United States Senate and the House of Representatives to use all available resources and funds to augment and expedite existing relief efforts to the people of El Salvador; and further expressing condolences to the family members of those who have passed away in El Salvador as well as sympathy and a speedy recovery to those have been injured by the earthquake; and sympathy to those living in the San Francisco Bay Area who have relatives in El Salvador that have been impacted by the earthquake.

Supervisors Sandoval, Peskin, Daly requested to be added as co-sponsors.

Resolution No. 63-01

ADOPTED

010099 [Zoning - Extend Planning Commission review time, Tobacco Retail Sales]
Supervisor Ammiano

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code to regulate Tobacco Retail Uses.

Resolution No. 64-01

ADOPTED

010102 [Landmark Designation, 1338 Filbert Street]
Supervisors Peskin, Newsom

Resolution initiating the designation of a landmark at 1338 Filbert Street, Block 524, Lots 31-34, pursuant to Section 1004.1 of the San Francisco Planning Code.

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 43-01

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee

Absent: 1 - Sandoval

Severed From For Adoption Without Committee Reference Agenda

010066 [Bicycle Lanes on Valencia Street]
Supervisors Leno, Daly

Resolution establishing bicycle lanes on Valencia Street subsequent to the one year trial period.

Supervisor Leno requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

On the advice of the City Attorney, Supervisor Leno requested this matter be sent to committee.

Supervisor Daly requested to be added as co-sponsor.

REFERRED to the Housing, Transportation and Land Use Committee.

010095 [Parcel Map, Mission Bay]

Motion approving Parcel Map, Mission Bay (Block N1), a 2 lot subdivision project, being a subdivision of Lot 1 in Assessor's Block 8702, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Mission Bay North Redevelopment Plan and Plan Documents. (Public Works Department)

(DPT Order No. 172,750.)

Supervisor Daly requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Motion No. M01-5

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee

Absent: 1 - Sandoval

010101 [Final Map, Planned Development, Mission Bay (Submission No. 3)]

Supervisor Daly

Motion approving Final Map, Planned Development, Mission Bay, (Blocks 41, 42, 43, and 45), an 11 Lot Subdivision Project, being Phase 1 of a subdivision of Lot 1 in Assessor's Block 8709, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan and Plan Documents.

(DPW Order No. 172,743.)

Supervisor Daly requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Motion No. M01-6

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee

Absent: 1 - Sandoval

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Leno, seconded by Supervisor Newsom, moved **ADOPTION** of the serious injury finding. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee

Absent: 1 - Sandoval

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Leno, seconded by Supervisor Yee, moved **ADOPTION** of the commendatory finding. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee

Absent: 1 - Sandoval

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Leno, seconded by Supervisor Yee, moved **ADOPTION** of the Brown Act finding. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee

Absent: 1 - Sandoval

Imperative Resolutions

- 010113 [U.S. Secretary of the Interior Confirmation]
Supervisors Maxwell, Leno, Peskin, Newsom, Ammiano

Resolution urging United States Senators Dianne Feinstein and Barbara Boxer to oppose confirmation of Gale Norton as the U.S. Secretary of the Interior.

Resolution No. 44-01

ADOPTED

- 010114 [Money wire transfer service fee waiver]
Supervisors Sandoval, Gonzalez, Ammiano, Leno

Resolution urging San Francisco money wire transfer services to eliminate fees for sending funds to El Salvador for the next 90 days to recognize the country's state of emergency.

Resolution No. 45-01

ADOPTED

- 010115 [Golden Gate National Recreation Area pet policy]
Supervisors Leno, Newsom, Peskin, Maxwell, Yee

Resolution declaring intent to seek reversionary right to the Golden Gate National Recreation Area property pending GGNRA removal of twenty year pet policy.

Resolution No. 46-01

ADOPTED

- 010116 [Golden Gate National Recreation Area ban on off-leash dogs]
Supervisors Newsom, Leno, Hall, Peskin, Maxwell, Yee

Resolution urging the Golden Gate National Recreation Area to delay taking action to ban off-leash dogs at Crissy Field and other GGNRA properties until after thoroughly studying the affect that such a ban would have on the City of San Francisco and particularly on neighborhood parks.

Resolution No. 47-01

ADOPTED

- 010117 [Golden Gate National Recreation Area Citizens Advisory Commission]
Supervisors Yee, Leno, Maxwell

Resolution urging the Golden Gate National Recreation Area Citizens Advisory Commission to defer action on the revocation of the 1979 pet policy until the City has had time to review the proposal.

Resolution No. 48-01

ADOPTED

- 010118 [Chinese New Year]
Supervisors Yee, Leno

Resolution celebrating the Chinese New Year and proclaiming January 24, 2001, the first day of the Year of the Golden Snake.

Resolution No. 65-01

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee

Absent: 1 - Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

- 010141 [Post Non-Discrimination Notice]
Supervisors Leno, Maxwell, McGoldrick

Ordinance amending Section 3303 of the San Francisco Police Code to require employers to post a non-discrimination in employment notice created and distributed by the Human Rights Commission.

1/22/01, ASSIGNED UNDER 30 DAY RULE to Economic Vitality, Small Business and Social Policy Committee, expires on 2/21/2001.

**010142 [Charity Care Reporting and Notice Requirement]
Supervisors Maxwell, Ammiano**

Draft Ordinance amending the San Francisco Health Code by adding Sections 129-136 to authorize the Department of Public Health to require hospitals to report on amount of charity care provided and requiring patient notification of policies on charity care.

1/22/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

Resolutions

**002216 [Federal grant for a residential substance abuse program for pregnant and postpartum women]
Supervisors Leno, Newsom**

Resolution authorizing the Department of Public Health, Population Health and Prevention, Community Substance Abuse Services, to accept retroactively and expend first year grant funds of \$800,000 from the Substance Abuse and Mental Health Services Administration (SAMHSA) and the Center for Substance Abuse Treatment (CSAT) to expand the number of residential beds available to pregnant and postpartum women and to enter into an agreement which includes a rights in data clause for the use of these funds; providing for ratification of action previously taken. (Public Health Department)

12/20/00, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

1/22/01, CALLED FROM COMMITTEE. Pursuant to Rule 5.33, Supervisor Leno called this measure from the Public Health and Environment Committee for Board consideration January 29, 2001.

Pursuant to Rule 5.33, Supervisor Leno called this measure from the Public Health and Environment Committee for Board consideration January 29, 2001.

CALLED FROM COMMITTEE.

**002215 [Federal grant to reduce indoor environmental triggers for asthma]
Supervisors Leno, Newsom, Peskin**

Resolution authorizing the Department of Public Health, Community Health and Safety Services, Environmental Health Services, to accept and expend grant funds of \$98,399 from the U.S. Environmental Protection Agency (EPA) for the Healthy Homes for Healthy Airways program. (Public Health Department)

12/20/00, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

1/22/01, CALLED FROM COMMITTEE. Pursuant to Rule 5.33, Supervisor Leno called this measure from the Public Health and Environment Committee for Board consideration January 29, 2001.

Pursuant to Rule 5.33, Supervisor Leno called this measure from the Public Health and Environment Committee for Board consideration January 29, 2001.

CALLED FROM COMMITTEE.

**002214 [Federal grant for a mobile methadone program]
Supervisors Leno, Newsom, Daly, Peskin**

Resolution authorizing the Department of Public Health, Population Health and Prevention, Community Substance Abuse Services, to accept retroactively and expend first year grant funds of \$235,000 from the Substance Abuse and Mental Health Services (SAMHSA) and the Center for Substance Abuse Treatment (CSAT) for the mobile methadone maintenance program and to enter into an agreement which includes a rights in data clause for the use of these funds; providing for ratification of action previously taken. (Public Health Department)

12/20/00, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

1/22/01, CALLED FROM COMMITTEE. Pursuant to Rule 5.33, Supervisor Leno called this measure from the Public Health and Environment Committee for Board consideration January 29, 2001.

Pursuant to Rule 5.33, Supervisor Leno called this measure from the Public Health and Environment Committee for Board consideration January 29, 2001.

CALLED FROM COMMITTEE.

**002213 [Federal grant funds for strategic planning to reduce community and youth violence in Bayview Hunters Point and the Mission Districts]
Supervisors Leno, Newsom, Peskin**

Resolution authorizing the Department of Public Health, Community Health Promotion and Prevention, to accept retroactively and expend first year grant funds of \$195,900 from the Substance Abuse and Mental Health Services Administration (SAMHSA) for the Community Youth Mental Health Promotion project and to enter into an agreement which includes a rights in data clause for the use of these funds; providing for ratification of action previously taken. (Public Health Department)

12/20/00, RECEIVED AND ASSIGNED to Public Health and Environment Committee. Department requests this item be calendared at the January 11, 2001 meeting.

1/22/01, CALLED FROM COMMITTEE. Pursuant to Rule 5.33, Supervisor Leno called this measure from the Public Health and Environment Committee for Board consideration January 29, 2001.

Pursuant to Rule 5.33, Supervisor Leno called this measure from the Public Health and Environment Committee for Board consideration January 29, 2001.

CALLED FROM COMMITTEE.

**001538 [Grant funds for a technical assistance and capacity development demonstration project]
Supervisor Newsom**

Resolution authorizing the Department of Public Health, Population Health and Prevention, HIV Health Services, to accept retroactively and expend first year grant funds of \$993,917 from the DHHS Office of Minority Health for the technical assistance and capacity development demonstration program for HIV/AIDS related services in highly impacted minority communities, and to enter into an agreement for the use of these funds; providing for ratification of action previously taken. (Public Health Department)

12/5/00, RECEIVED AND ASSIGNED to Public Health and Environment Committee. Department requests this item be scheduled for consideration at the December 28, 2000 meeting.

1/22/01, CALLED FROM COMMITTEE. Pursuant to Rule 5.33, Supervisor Leno called this measure from the Public Health and Environment Committee for Board consideration January 29, 2001.

Pursuant to Rule 5.33, Supervisor Leno called this measure from the Public Health and Environment Committee for Board consideration January 29, 2001.

CALLED FROM COMMITTEE.

**010119 [Establishing a 17-member task force to study civic participation and electoral reform]
Supervisor Daly**

Resolution establishing the Civic Participation Task Force to study trends in civic participation and report back to the Board of Supervisors with proposed electoral reforms.

1/22/01, RECEIVED AND ASSIGNED to Rules Committee.

**010120 [Meeting Schedule]
Supervisor Ammiano**

Resolution revising the regular meeting schedule of the Board of Supervisors by canceling the November 26, 2001, December 24, 2001 and December 31, 2001 meetings and by canceling all Board and Committee meetings from August 28 through September 16, 2001.

1/22/01, RECEIVED AND ASSIGNED to Rules Committee.

**010121 [Bessie Carmichael Elementary School]
Supervisor Daly**

Resolution urging the San Francisco Unified School District to make the construction of a new Bessie Carmichael Elementary School a top priority.

1/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010122 [Appointment of Public Defender]
Supervisor Gonzalez**

Resolution urging the Mayor to appoint Jeff Adachi, the Chief Trial Attorney in the office of the Public Defender, as Public Defender for the City and County of San Francisco.

1/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010123 [Renegotiation of Modesto and Turlock Irrigation District Contracts]
Supervisors Gonzalez, Newsom, McGoldrick, Peskin**

Resolution directing the City Attorney to examine the ways in which San Francisco could terminate its obligations to provide power from the Hetch Hetchy Dam to the Modesto and Turlock Irrigation Districts as stipulated in the agreements approved in 1988 and to examine the ways in which the City could terminate its contract with Pacific Gas and Electric to distribute this power to the Modesto and Turlock Irrigation Districts, and to inform the Modesto and Turlock Irrigation Districts of San Francisco's intent to begin renegotiation of these contracts.

1/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010124 [1999 Affordable Housing Bonds Housing Account Transfer]
Supervisors McGoldrick, Peskin**

Resolution authorizing and directing the transfer of \$3,000,000 of the proceeds of City and County of San Francisco Taxable General Obligation Bonds (Affordable Housing) Series 1999A held in the Development Account to the Downpayment Loan Assistance Account.

1/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010125 [Extension of exclusive negotiations between the Port of San Francisco and the Malrite Company]
Supervisors Peskin, Newsom, Leno, Hall**

Resolution opposing the decision by the Port of San Francisco to extend exclusive negotiations with the Malrite Company regarding Pier 45 for an additional ninety (90) days until April 15, 2001.

1/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010126 [Litigation]
Supervisors Peskin, Newsom, Leno**

Resolution urging the City Attorney to file a petition for certiorari in the Supreme Court of the United States, asking that Court to review the judgment of the California Supreme Court in East Bay Asian Local Development Corporation v. State of California, SO 77396, and to hold that AB 133 violates the Establishment Clause of the First Amendment of the United States Constitution.

1/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010127 [Commendation - Saint Ignatius/Sacred Heart]
Supervisors Hall, Daly, Yee, Newsom**

Resolution commending Saint Ignatius College Preparatory and Sacred Heart Cathedral for their continued success in fulfilling their respective missions to educate the youth of San Francisco and for their ability to successfully maintain their athletic rivalry through the annual Bruce-Mahoney Memorial Trophy competition.

1/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**010128 [Resource Conservation Ordinance]
Supervisor Daly**

Hearing to study the effectiveness and implementation of the Resource Conservation Ordinance.

1/22/01, RECEIVED AND ASSIGNED TO Public Health and Environment Committee.

**010129 [Mid-Market Redevelopment Project Area]
Supervisor Daly**

Hearing to measure the Redevelopment Agency's progress in creating a Mid-Market Redevelopment Project Area.

1/22/01, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**010130 [San Francisco Zoo Fees and Policies]
Supervisor Daly**

Hearing to study developing family-friendly policies at the San Francisco Zoo, to increase the number of San Francisco children visiting the Zoo.

1/22/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

**010131 [Planning Commission Appointments]
Supervisor Gonzalez**

Hearing to discuss the current procedure for appointing individuals to the Planning Commission and to discuss possible changes to the San Francisco City Charter regarding these appointments.

1/22/01, RECEIVED AND ASSIGNED to Rules Committee.

**010132 [Lake Merced Task Force Report]
Supervisor Hall**

Hearing to provide the Board of Supervisors an opportunity to receive a status report from the Lake Merced Task Force on its work to address the problems at Lake Merced.

1/22/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

**010133 [Crystal Methamphetamine]
Supervisors Leno, Newsom**

Hearing to consider ways to respond to use of the drug crystal methamphetamine and educational efforts by public agencies and community-based organizations that encourage harm reduction among communities which use this drug.

1/22/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

**010134 [Bureau of Energy Conservation]
Supervisor Leno**

Hearing to examine the recent Public Utilities Commission decision to terminate the Bureau of Energy Conservation.

1/22/01, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

**010135 [Golden Gate National Recreation Area]
Supervisor Yee**

Hearing to consider recent actions and proposals of the Golden Gate National Recreation Area including revocation of the 1979 Pet Policy and closure of Fort Funston.

1/22/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

**010136 [Energy Conservation]
Supervisors Ammiano, Daly, Gonzalez, Maxwell**

Hearing to consider restoring the City's Bureau of Energy Conservation and/or contracting for short-term energy conservation consulting services available to City departments and private business.

1/22/01, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

**010137 [Family Service Agency]
Supervisor Ammiano**

Hearing to inquire into contract compliance and labor practices of the Family Service Agency TAP Program located at 2730 Bryant Street.

1/22/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

Motions

010051 [Final map for a 31 unit mixed use condominium project]

Motion approving final map of The Allied Box Factory, a Mixed Use Development Live/Work and Commercial Condominium Project (2169 Folsom Street), being a subdivision of Lot 74, Assessor's Block No. 3573, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,749.)

1/10/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

1/16/01, SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor McGoldrick requested this matter be severed so it could be considered separately.

1/16/01, REFERRED to Transportation and Land Use Committee. Supervisor McGoldrick requested this matter be referred to committee.

1/22/01, CALLED FROM COMMITTEE. There being no objection, Supervisor McGoldrick requested this measure be called from the Transportation and Land Use Committee for Board consideration January 29, 2001.

There being no objection, Supervisor McGoldrick requested this measure be called from the Transportation and Land Use Committee for Board consideration January 29, 2001.

CALLED FROM COMMITTEE.

**010138 [Suspend 30 Day Rule]
Supervisor Gonzalez**

Motion suspending Rule 5.43 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by adding a new Section 37.8C "Temporary Moratorium on Rent Board processing or approval of landlord petitions for certification and passthrough of capital improvement, rehabilitation and energy conservation costs to tenants, during pendency of the Superior Court's preliminary injunction staying implementation of November 2000 Proposition H." 1/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010140 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
1/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

**010078 [Speed limit regulations along Alemany Boulevard]
Supervisor Newsom**

Ordinance amending the San Francisco Traffic Code, clarifying the speed limit regulations for Alemany Boulevard. (Parking and Traffic Department)

(DPT Order No. 2144)

1/16/01, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

010105 [Geographic Information System Data License Fees]

Ordinance amending the San Francisco Administrative Code by adding Section 8.40 to authorize the Department of Public Works to charge license fees for the use of the City's Base Map Geographic Information System ("GIS") data and ratifying prior fees. (Public Works Department)

1/17/01, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

010107 [Memorandum of Understanding, Local 790 Fire Rescue Paramedics]

Ordinance adopting and implementing the terms of a Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Local 790, and the City and County of San Francisco for the H-1 Fire Rescue Paramedics to be effective for the period July 1, 1999 through June 30, 2001. (Human Resources Department)

(Fiscal impact.)

1/17/01, RECEIVED AND ASSIGNED to Finance and Labor Committee.

PROPOSED RESOLUTIONS

010104 [Settlement of Grievance, Local 21]

Resolution authorizing settlement of the grievance filed by Glen Alston and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO ("Local 21"), on behalf of 16 Civilian Fire Inspectors pursuant to the Memoranda of Understanding between Local 21 and the City and County of San Francisco in the aggregate amount of \$80,080.48. (Human Resources Department)
1/17/01, RECEIVED AND ASSIGNED to Finance and Labor Committee.

Requests Granted

From: Supervisor Hall

To: General Manager, Public Utilities Commission

Requesting/Inquiring: Lake Merced restoration

To determine what the status is of the \$150,000 allocated in the Public Utilities Commission's (PUC) budget for fiscal year 2000/01 for work on Lake Merced and whether or not the PUC plans on appropriating funds in its fiscal year 2001/02 budget for further work and study on Lake Merced.

From: Supervisor Hall

To: General Manager, Recreation and Park Department

Requesting/Inquiring: To report on the current status of the project to restore Harding Park Golf Course.

From: Supervisor Leno

To: City Attorney

Requesting/Inquiring: To draft legislation creating an Energy Self-Sufficiency Task Force that will make recommendations to support the creation of a citywide comprehensive energy plan addressing issues of renewable energies, efficiency, distributed generation, health and cost.

From: Supervisor McGoldrick

To: City Attorney

Requesting/Inquiring: To draft legislation providing for inclusion of early and significant community and neighborhood input into the planning process at the Planning Department.

From: Supervisor McGoldrick

To: City Attorney

Requesting/Inquiring: To draft legislation providing for increased school pedestrian safety, including oversized new DOT approved fluorescent yellow green advanced school and advanced school crossing signage at all Pre K-12 school sites; installation of yellow ladder and/or zebra style crosswalks adjacent to all Pre K-12 school site crosswalks and at yellow marked designated safe routes to school crossings at major multi-lane arterial boulevards; as well as other provisions to be outline in greater detail in a subsequent written memorandum.

From: Supervisor McGoldrick

To: City Attorney

Requesting/Inquiring: To draft a charter amendment requiring filling vacancies in elected city offices by Special Election, rather than by appointment from the Mayor.

From: Supervisor Yee

To: City Attorney

Requesting/Inquiring: To investigate and report on the Golden Gate National Recreation Area's (GGNRA) proposal to revoke the GGNRA 1979 Pet Policy. Specifically, is this action legal? What procedures does the GGNRA need to follow in revoking such a policy? Please include pertinent federal law and applicable provisions in the deed by which the City turned over lands to the GGNRA.

From: Supervisor Ammiano

To: City Attorney and Controller

Requesting/Inquiring: That the City Attorney draft an amendment to the Board of Supervisors (BOS) Budget Analyst Contract; and the Controller develop a supplemental budget appropriation to increase the contract with the BOS Budget Analyst.

From: Supervisor Ammiano

To: Director, Department of Human Services

To: Executive Director and Board of Directors of the Family Service Agency TAP Program.

Requesting/Inquiring: To notify the Director of the Department of Human Services, Executive Director and Board of Directors of the Family Service Agency TAP Program that a hearing has been called to inquire into contract compliance and labor practices of the Family Service Agency TAP Program at 2730 Bryant Street; and will be scheduled for committee hearing in the near future.

The parameters of the hearing will include:

- 1. Inquire into whether the Family Service Agency is complying with contractual obligations with the City and County of San Francisco.*
- 2. Inquire into current labor practices and labor/management relations.*
- 3. Devise strategies to resolve contract compliance problems, labor/management relations and other problem areas.*
- 4. Other related issues.*

From: Supervisors Ammiano, Daly, Gonzalez, Maxwell

To: City Attorney

Requesting/Inquiring: To draft legislation inviting proposals for City-owned distributed, renewable energy generation, including fuel cells, solar power (including photo-voltaics), and wind power.

From: Supervisors Ammiano, Daly, Gonzalez

To: City Attorney

Requesting/Inquiring: To draft legislation to amend the California Energy Deregulation law, consistent with the Board of Supervisors resolution in support of Community Choice, whereby the City and County of San Francisco could become a default supplier of electricity by aggregating its power customers into a buying pool.

Further urging the City Attorney work with the City's lobbyist and Sacramento legislative delegation to ensure Assembly consideration of this measure on an emergency basis.

From: Supervisor Ammiano

To: General Manager, Municipal Railway (MUNI)

Requesting/Inquiring: To investigate and report on a recent incident of a runaway 53 Southern Heights MUNI bus on January 20, 2001.

The response should address the following issues:

- 1. To confirm and explain why a 53 Southern Heights MUNI trolley was left unmanned and allowed to roll down, damaging five parked vehicles before crashing into and damaging a house located on Missouri and Sierra Streets.*
- 2. To confirm whether a letter or other forms of correspondence were initiated apologizing for the damage caused to the home owners and vehicles owners.*
- 3. To assess the type and amount of damage that was done to the home and parked vehicles.*

5. Any other issue deemed relevant to the incident.

From: Supervisor Peskin

To: Director, Planning Department

To: Director, Port of San Francisco

To: General Manager, Recreation and Park Department

Requesting/Inquiring: That the Directors of Planning, Port and the General Manager of Recreation and Park Department investigate and report on the whereabouts of a certain Memorandum of Understanding (MOU) regarding the City and County of San Francisco's authority over National Park Service (NPS) policies and procedures governing Golden Gate National Recreation Area lands which it originally acquired from the City and County of San Francisco.

Reference records indicate that a formal MOU was entered into and between the City and the NPS which requires NPS to submit proposed park policies affecting the GGNRA for review by the Department of City Planning. Evidence of this MOU is contained in a memorandum dated June 21, 1977 from Rai Y. Okamoto, Director of Planning to the GGNRA's Citizens Advisory Commission and in the GGNRA General Plan of 1980. Supervisor Peskin requests that your Department locate a copy of this MOU as quickly as possible. If this MOU cannot be located, Supervisor Peskin also requests to know that fact immediately. Your assistance in this matter is greatly appreciated, as a matter relevant to this MOU is currently pending before the GGNRA's Citizens Advisory Committee.

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Edward Bransten (Supervisor Leno)

Maurice Davis (Supervisor Maxwell)

Gregory Corso (Supervisor Peskin)

Iris Conner (Supervisors Daly, Hall)

ADJOURNMENT

There being no further business, the Board at the hour of 5:17 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 12, 2001.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.

JUN 12 2001

SAN FRANCISCO
PUBLIC LIBRARY

Monday, January 29, 2001 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE MCGOLDRICK, GAVIN NEWSOM
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE

Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Audit and Government Efficiency Committee

City and School District Committee

Finance and Labor Committee

Housing and Social Policy Committee

Parks and Recreation Committee

Public Health and Environment Committee

Public Utilities and Deregulation Committee

Rules Committee

Small Business, Economic Vitality and Consumer Services Committee

Transportation and Land Use Committee

Meeting Days

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Sophie Maxwell, Jake McGoldrick, Mark Leno, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:00 p.m. On call of the roll, all Supervisors were noted present.

Quorum present.

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued or considered differently.

Supervisor Maxwell indicated the matter relating to public hearing and ordinance concerning amendment to the India Basin Industrial Park Redevelopment Plan, Files 002092 and 001861. (See infra.)

Supervisor Gonzalez indicated the matter relating to appointment of public defender, File 010122. (See infra.)

Supervisor Ammiano indicated the matter relating to Urban Forestry Council, File 002106. (See infra.)

Supervisor Hall indicated the matters relating to fund litigation and mediation expenses for VIACOM, AT&T, and TCI appeals for the Assessor's Office, File 002087; and grant funds for the construction of the K-Ingleside light rail line and Ocean Avenue serving the Municipal Railway, File 001955. (See infra.)

CONSENT AGENDA

Recommendations of the Finance and Labor Committee

- 001796** [Creating a Special Assistant XVI position at the Board of Appeals, while Director is on medical leave]
Ordinance appropriating \$73,364 from the General Fund Reserve to fund the salary and fringe benefits of a Special Assistant XVI at the Board of Appeals, while Director is on medical leave and operating expenses, and amending Annual Salary Ordinance for fiscal year 2000-01; placing \$36,682 on reserve. (Controller)

(Companion measure to File 001797.)

Ordinance No. 16-01
FINALLY PASSED

- 001797** [Public Employment, Board of Appeals]
Ordinance amending Ordinance No. 181-00 (Annual Salary Ordinance, 2000/01) reflecting the creation of one position at the Board of Appeals. (Human Resources Department)

(Companion measure to File 001796.)

Ordinance No. 17-01
FINALLY PASSED

- 002184** [Funding for operating costs and implementation of a State required Customer Service Unit]
Supervisor Newsom

Ordinance appropriating \$780,837 to support both continuing operating costs and the implementation of a State required Customer Service Unit (\$535,537 for Child Support Service Division and \$245,300 for CSS Cases Consortium) and the creation of two positions at the Department of Child Support for fiscal year 2000-01; ratifying action previously taken. (Controller)

(Fiscal impact; Companion measure to File 002183.)

Ordinance No. 20-01
FINALLY PASSED

- 002183** [Creating two (2) positions in Child Support Services]
Ordinance amending Ordinance No. 181-00 (Annual Salary Ordinance, 2000/01) reflecting the creation of two positions in Child Support Services. (Human Resources Department)

(Fiscal impact; Companion measure to File 002184.)

Ordinance No. 19-01
FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Severed From the Consent Agenda

002087 [Fund litigation and mediation expenses for VIACOM, AT&T, and TCI appeals for the Assessor's Office]

Ordinance appropriating \$471,593 of the General Reserve to fund the litigation and mediation expenses associated with the VIACOM, AT&T, and TCI appeals for the Assessor's Office for fiscal year 2000-01. (Controller)

(Fiscal impact.)

Supervisor Hall requested this matter be severed so it could be considered separately.

SEVERED FROM CONSENT AGENDA.

Ordinance No. 18-01

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Appointment of President Pro Tempore

At the request of the President, Supervisor Daly assumed the Chair so the President could participate in the debate from the floor concerning the following item.

Recommendations of the Transportation and Land Use Committee

002106 [Urban Forestry Council]
Supervisors Leno, Katz, Bierman

Ordinance amending San Francisco Administrative Code Chapter 5 by adding Article XXIII to create an Urban Forestry Council and to delineate powers and duties for such Council.

(1/2/2001 - Supervisor Yee dissenting in Board.)

Supervisor Ammiano presented an amendment of the whole, bearing new title (technical amendment).

President Ammiano, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Ordinance amending San Francisco Administrative Code Chapter 5 by adding Article XXIII to create an Urban Forestry Council and to delineate powers and duties for such Council.

(1/2/2001 - Supervisor Yee dissenting in Board.)

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

The President resumed the Chair.

001955 [Grant funds for the construction of the K-Ingleside light rail line and Ocean Avenue serving the Municipal Railway]
Supervisor Newsom

Resolution authorizing the Municipal Transportation Agency to accept and expend \$7,000,000 of State assistance for Ocean Avenue and K-Ingleside street, sidewalk, and transit improvements. (Public Transportation Commission)

Supervisor Hall moved to continue this matter to February 5, 2001.

Supervisor Hall, seconded by Supervisor Newsom, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Yee

Noes: 3 - Daly, Leno, Sandoval

NEW BUSINESS

Recommendations of the Finance and Labor Committee

- 010041 [Memorandum of Understanding Amendment No. 3 - Electrical Workers, Local 6]**
Ordinance implementing Amendment No. 3 to the 1997-2001 Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local 6 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department)
- PASSED, ON FIRST READING by the following vote:**
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee
- 010042 [Memorandum of Understanding Amendment No. 3 - Glaziers, Local 718]**
Ordinance implementing Amendment No. 3 to the 1997-2001 Memorandum of Understanding between the Glaziers, Architectural Metal and Glass Workers, Local Union 718 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department)
- PASSED, ON FIRST READING by the following vote:**
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee
- 010043 [Memorandum of Understanding Amendment No. 4 - Laborers, Local 261]**
Ordinance implementing Amendment No. 4 to the 1997-2001 Memorandum of Understanding between the Laborers International Union, Local 261 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department)
- PASSED, ON FIRST READING by the following vote:**
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee
- 010044 [Memorandum of Understanding Amendment No. 3 - Machinists, Local 1414]**
Ordinance implementing Amendment No. 3 to the 1997-2001 Memorandum of Understanding between the Machinists Union, Local 1414, International Association of Machinists and Aerospace Workers, Machinists Automotive Trades District Lodge 190 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department)
- PASSED, ON FIRST READING by the following vote:**
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee
- 010045 [Memorandum of Understanding Amendment No. 2 - Pile Drivers, Local 34]**
Ordinance implementing Amendment No. 2 to the 1997-2001 Memorandum of Understanding between the Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department)
- PASSED, ON FIRST READING by the following vote:**
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

010046 [Memorandum of Understanding Amendment No. 1 - Plumbers, Local 38]

Ordinance implementing Amendment No. 1 to the 1997-2001 Memorandum of Understanding between the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local No. 38 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

SPECIAL ORDER - 3:00 P.M.**002092 [Public Hearing]**

Hearing to consider proposed Ordinance approving and adopting an amendment to the Redevelopment Plan for the India Basin Industrial Park Development Project Area (Ordinance No. 26-69, amended by Ordinance Nos. 474-86, 141-87 and 416-94) to modify the use restrictions and reduce the parking and loading requirements for Lot 23 of Assessor's Block 5203 within the Redevelopment Plan Area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan amendment is consistent with the City's General Plan and Eight Priority Policies of the City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment law.

(Final Negative Declaration issued on October 18, 2000; Redevelopment Agency report dated October 2000 to the Board of Supervisors for the India Basin Industrial Park Redevelopment Plan Amendment.)
(Companion measure to File 001861.)

Supervisor Maxwell moved to continue consideration to February 26, 2001.

Supervisor Maxwell, seconded by Supervisor Peskin, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

From Redevelopment Agency**001861 [Amendment to the India Basin Industrial Park Redevelopment Plan to modify use restrictions and parking and loading requirements]**

Supervisor Katz

Ordinance approving and adopting an amendment to the Redevelopment Plan for the India Basin Industrial Park Development Project Area (Ordinance No. 26-69, amended by Ordinance Nos. 474-86, 141-87 and 416-94) to modify the land use provisions and reduce the parking and loading requirements for Lot 23 of Assessor's Block 5203 within the Redevelopment Plan Area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan Amendment is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law.

(Final Negative Declaration issued on October 18, 2000; Redevelopment Agency report dated October 2000 to the Board of Supervisors for the India Basin Industrial Park Redevelopment Plan Amendment.)

Supervisor Maxwell moved to continue consideration to February 26, 2001.

Supervisor Maxwell, seconded by Supervisor Peskin, moved that this Ordinance be CONTINUED ON FIRST READING. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

PUBLIC COMMENT

*Abdalla Megahed, recent fire incident, dog leash for dog owner, India earthquake;
Jim Reid, Paul Sehan, Adam Rackowski, Michael Nulty, John, closure of Grocery Outlet, urge store be relocated, explore better use of vacated property;
Charles, ratepayer;
Jesus Gumban, lawsuit against school district and Municipal Railway;
Jim Corrigan, oppose permit to use public parking spaces by Fire Department personnel;
Jillien Doroan, urge approval of final map for The Allied Box Factory;
Floyd Brown, lack of Municipal Railway schedules;
Camille, parked cars, urge enforcement of drivers driving across crosswalk illegally;
Edmund, dog litter;
Kathy Perry, urge creation of Citywide Asthma Task Force, street cleaning needed for Egbert Street and Third Street.*

Called from Public Health and Environment Committee by Supervisor Leno

002213 [Federal grant funds for strategic planning to reduce community and youth violence in Bayview Hunters Point and the Mission Districts]
Supervisors Leno, Newsom, Peskin

Resolution authorizing the Department of Public Health, Community Health Promotion and Prevention, to accept retroactively and expend first year grant funds of \$195,900 from the Substance Abuse and Mental Health Services Administration (SAMHSA) for the Community Youth Mental Health Promotion project and to enter into an agreement which includes a rights in data clause for the use of these funds; providing for ratification of action previously taken. (Public Health Department)

Supervisor Peskin requested to be added as co-sponsor.

Resolution No. 69-01

ADOPTED by the following vote:

Yes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval
Absent: 1 - Yee

**002214 [Federal grant for a mobile methadone program]
Supervisors Leno, Newsom, Daly, Peskin**

Resolution authorizing the Department of Public Health, Population Health and Prevention, Community Substance Abuse Services, to accept retroactively and expend first year grant funds of \$235,000 from the Substance Abuse and Mental Health Services (SAMHSA) and the Center for Substance Abuse Treatment (CSAT) for the mobile methadone maintenance program and to enter into an agreement which includes a rights in data clause for the use of these funds; providing for ratification of action previously taken. (Public Health Department)

Supervisors Daly, Peskin requested to be added as co-sponsors.

Resolution No. 70-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval

Absent: 1 - Yee

**002215 [Federal grant to reduce indoor environmental triggers for asthma]
Supervisors Leno, Newsom, Peskin**

Resolution authorizing the Department of Public Health, Community Health and Safety Services, Environmental Health Services, to accept and expend grant funds of \$98,399 from the U.S. Environmental Protection Agency (EPA) for the Healthy Homes for Healthy Airways program. (Public Health Department)

Supervisor Peskin requested to be added as co-sponsor.

Resolution No. 71-01

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin

Absent: 2 - Sandoval, Yee

**002216 [Federal grant for a residential substance abuse program for pregnant and postpartum women]
Supervisors Leno, Newsom**

Resolution authorizing the Department of Public Health, Population Health and Prevention, Community Substance Abuse Services, to accept retroactively and expend first year grant funds of \$800,000 from the Substance Abuse and Mental Health Services Administration (SAMHSA) and the Center for Substance Abuse Treatment (CSAT) to expand the number of residential beds available to pregnant and postpartum women and to enter into an agreement which includes a rights in data clause for the use of these funds; providing for ratification of action previously taken. (Public Health Department)

Supervisor Ammiano moved to amend page two, line 15, by replacing "should be urged" with "is directed"

President Ammiano, seconded by Supervisor Peskin, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin

Absent: 2 - Sandoval, Yee

Supervisors Daly, Peskin requested to be added as co-sponsors.

Resolution No. 72-01

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin

Absent: 2 - Sandoval, Yee

**001538 [Grant funds for a technical assistance and capacity development demonstration project]
Supervisor Newsom**

Resolution authorizing the Department of Public Health, Population Health and Prevention, HIV Health Services, to accept retroactively and expend first year grant funds of \$993,917 from the DHHS Office of Minority Health for the technical assistance and capacity development demonstration program for HIV/AIDS related services in highly impacted minority communities, and to enter into an agreement for the use of these funds; providing for ratification of action previously taken. (Public Health Department)

Supervisor Ammiano moved to amend page two, line 10, by replacing "should be urged" with "is directed".

President Ammiano, seconded by Supervisor Peskin, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin

Absent: 2 - Sandoval, Yee

Supervisors Daly, Peskin requested to be added as co-sponsors.

Resolution No. 68-01

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin

Absent: 2 - Sandoval, Yee

Called from Transportation and Land Use Committee by the Board

010051 [Final map for a 31 unit mixed use condominium project]

Motion approving final map of The Allied Box Factory, a Mixed Use Development Live/Work and Commercial Condominium Project (2169 Folsom Street), being a subdivision of Lot 74, Assessor's Block No. 3573, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,749.)

Motion No. M01-11

APPROVED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin

Absent: 2 - Sandoval, Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

**010121 [Bessie Carmichael Elementary School]
Supervisor Daly**

Resolution urging the San Francisco Unified School District to make the construction of a new Bessie Carmichael Elementary School a top priority.

Resolution No. 73-01

ADOPTED

**010123 [Renegotiation of Modesto and Turlock Irrigation District Contracts]
Supervisors Gonzalez, Newsom, McGoldrick, Peskin**

Resolution directing the City Attorney to examine the ways in which San Francisco could terminate its obligations to provide power from the Hetch Hetchy Dam to the Modesto and Turlock Irrigation Districts as stipulated in the agreements approved in 1988 and to examine the ways in which the City could terminate its contract with Pacific Gas and Electric to distribute this power to the Modesto and Turlock Irrigation Districts, and to inform the Modesto and Turlock Irrigation Districts of San Francisco's intent to begin renegotiation of these contracts.

Supervisors McGoldrick, Peskin requested to be added as co-sponsors.

Resolution No. 74-01

ADOPTED

**010124 [1999 Affordable Housing Bonds Housing Account Transfer]
Supervisors McGoldrick, Peskin**

Resolution authorizing and directing the transfer of \$3,000,000 of the proceeds of City and County of San Francisco Taxable General Obligation Bonds (Affordable Housing) Series 1999A held in the Development Account to the Downpayment Loan Assistance Account.

Supervisor Peskin requested to be added as co-sponsor.

Resolution No. 75-01

ADOPTED

**010125 [Extension of exclusive negotiations between the Port of San Francisco and the Malrite Company]
Supervisors Peskin, Newsom, Leno, Hall**

Resolution opposing the decision by the Port of San Francisco to extend exclusive negotiations with the Malrite Company regarding Pier 45 for an additional ninety (90) days until April 15, 2001.

Supervisor Hall requested to be added as co-sponsor.

Resolution No. 80-01

ADOPTED

**010126 [Litigation]
Supervisors Peskin, Newsom, Leno**

Resolution urging the City Attorney to file a petition for certiorari in the Supreme Court of the United States, asking that Court to review the judgment of the California Supreme Court in *East Bay Asian Local Development Corporation v. State of California*, SO 77396, and to hold that AB 133 violates the Establishment Clause of the First Amendment of the United States Constitution.

Supervisor Leno requested to be added as co-sponsor.

Resolution No. 76-01

ADOPTED

**010127 [Commendation - Saint Ignatius/Sacred Heart]
Supervisors Hall, Daly, Yee, Newsom**

Resolution commending Saint Ignatius College Preparatory and Sacred Heart Cathedral for their continued success in fulfilling their respective missions to educate the youth of San Francisco and for their ability to successfully maintain their athletic rivalry through the annual Bruce-Mahoney Memorial Trophy competition.

**Resolution No. 77-01
ADOPTED**

**010140 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Supervisors Daly, Peskin requested to be added as co-sponsors.

**Motion No. M01-9
ADOPTED**

**010148 [Commendation]
Supervisors Newsom, Hall, Leno**

Resolution commending the GGNRA's Citizen's Advisory Committee in its action to delay rescinding the 1979 Pet Policy until stakeholders have an opportunity to confer; further urging the Superintendent of the National Park Service to form with all due haste a working group with all stakeholders, including federal and state representation and locally to include at least two members of the Board of Supervisors, representatives from advocacy groups such as the SPCA and SF Dog, representatives from the San Francisco Recreation and Park Department, and representatives from involved environmental and children's groups to examine alternatives to rescinding the Pet Policy such as time and place restrictions rather than a complete ban and to study the anticipated effect that any ban of off-leash dogs would have on the City as a whole.

Supervisors Hall, Leno requested to be added as co-sponsors.

**Resolution No. 78-01
ADOPTED**

**010138 [Suspend 30 Day Rule]
Supervisor Gonzalez**

Motion suspending Rule 5.43 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by adding a new Section 37.8C "Temporary Moratorium on Rent Board processing or approval of landlord petitions for certification and passthrough of capital improvement, rehabilitation and energy conservation costs to tenants, during pendency of the Superior Court's preliminary injunction staying implementation of November 2000 Proposition H."

**Motion No. M01-7
APPROVED**

010139 [Final map for a 19 Unit Mixed Use Condominium Project]

Motion approving final map of 1801-1807 Polk Street, a Mixed-Use Condominium Project, being a subdivision of Lot 3, Assessor's Block No. 598, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,762.)

Motion No. M01-8

APPROVED

010143 [Final map for a 12 Unit Live/Work Condominium Project]

Motion approving final map of 500 Bryant Street, a Live/Work Condominium Project, being a subdivision of Lot 9, Assessor's Block No. 3762, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,763.)

Motion No. M01-10

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin

Absent: 2 - Sandoval, Yee

Severed From For Adoption Without Committee Reference Agenda**010122 [Appointment of Public Defender]**

Supervisor Gonzalez

Resolution urging the Mayor to appoint Jeff Adachi, the Chief Trial Attorney in the office of the Public Defender, as Public Defender for the City and County of San Francisco.

Supervisor Gonzalez requested this matter be severed so it could be considered separately.

Supervisor Gonzalez, seconded by Supervisor Leno, moved that this Resolution be **TABLED**. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin

Absent: 2 - Sandoval, Yee

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Leno, seconded by Supervisor Newsom, moved ADOPTION of the serious injury finding. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin

Absent: 2 - Sandoval, Yee

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Leno, seconded by Supervisor Newsom, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin

Absent: 2 - Sandoval, Yee

Imperative Resolution

010162 [Fort Funston proposed closure]
Supervisors Yee, Leno

Resolution requesting the City Attorney contact the National Park Service requesting a delay in the closure of twelve acres along the coastal bluffs at Fort Funston; requesting the Department of City Planning, the General Manager of the Recreation and Park Department, and the Director of Public Works review the pending twelve-acre closure at Fort Funston.

Resolution No. 79-01

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin

Absent: 2 - Sandoval, Yee

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Resolutions

- 010163 [Clean Ferries]**
Supervisors Newsom, Gonzalez, Leno, Maxwell, Hall, Peskin

Resolution urging the Golden Gate National Recreation Area (GGNRA) and all other ferry operators to pursue cleaner marine technologies, adopt diesel emissions reduction strategies, and develop alternative fuel and ferry design demonstration projects; further urging the Bay Area Water Transit Authority (BAWTA) to establish a cleaner marine technology committee to seek financing for and develop a natural gas demonstration vessel and an alternative fuel ferry plan.

1/29/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

- 010164 [Office of Ratepayer Advocates]**
Supervisors Gonzalez, Sandoval, McGoldrick, Peskin, Daly

Resolution urging Governor Gray Davis to appoint a director to the state's Office of Ratepayer Advocates.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 010165 [Lowell High School]**
Supervisors Hall, Newsom

Resolution urging the San Francisco Unified School District to consider every alternative to using Eucalyptus Drive and 25th Avenue as routes of entrance and exit for construction and delivery vehicles during the construction of the new Science/Academic wing at Lowell High School.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 010166 [Extension of Planning Commission Review Period]**
Supervisor Leno

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code to adopt an inclusionary affordable housing program.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 010167 [Power generating assets]**
Supervisors McGoldrick, Gonzalez, Peskin, Daly

Resolution calling for Governor Davis, the California Legislature, and the California Public Utilities Commission to require that any financial assistance to utilities in the form of taxpayer monies or rate increases be accompanied by a transfer of equivalent interests in power generating assets to the State of California.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010168 [Antitrust violation, natural gas suppliers]
Supervisors McGoldrick, Peskin, Daly

Resolution urging the City Attorney to instigate an investigation into possible monopolization, collusion, and fraud by suppliers of natural gas.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010169 [Uninsured children funding]
Supervisors Sandoval, Gonzalez, McGoldrick, Newsom

Resolution urging the Department of Public Health to calculate the amount of money spent annually on uninsured children residing in the City of San Francisco.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010170 [Bond Oversight Committee]
Supervisors Yee, McGoldrick

Resolution urging the San Francisco Public Library to create a Bond Oversight Committee for the Branch Library Bond, and requesting the San Francisco Public Library issue reports to the Board of Supervisors, the Budget Analyst's Office, the Controller, and the Mayor's Office of Public Finance on a quarterly basis which detail all expenditures from the bond funds by facility and by individual projects.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010171 [Clean Streets Initiative]
Supervisor Yee

Resolution establishing the Clean Streets Initiative.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010172 [Parkside Elementary School and Childcare Center]
Supervisors Yee, Newsom

Resolution urging the San Francisco Unified School District to make the rebuilding of Parkside School and construction of a new childcare center at Parkside School a top priority.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010173 [Standards of Conduct for Redevelopment Agency Commission]
Supervisors Ammiano, McGoldrick, Daly**

Resolution urging the San Francisco Redevelopment Agency (SFRA) Commission to adopt a policy requiring all SFRA Commissioners to disclose any communications that they have with developers, contractors and other parties or individuals who have a matter pending before the SFRA Commission and that such a public disclosure policy require that the name(s) and the substance of the contact be divulged and that such disclosure must occur before the SFRA Commission votes on the matter; and further urging the SFRA Commission to adopt a policy that is based upon SFRA staff evaluation and recommendation as well as public input which would require the public offering of all SFRA property for development and that such a process be uniform and implemented fairly.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010174 [Prohibit selling of naming rights of public transit stations]
Supervisors Ammiano, Newsom, Peskin**

Resolution urging the Board of Directors of BART and the Municipal Transportation Authority to prohibit the selling of the naming rights of any public transit stations, especially the Embarcadero, Montgomery, Powell and Civic Center stations, to any private entity, corporation or individual.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010175 [San Francisco Day Laborer Program]
Supervisors Ammiano, Daly**

Resolution urging the Director of the Department of Human Services to permanently locate the San Francisco Day Laborer Program at the 3120 Mission Street site and to negotiate with the current owners of the Department's intentions.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010176 [India Earthquake]
Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee**

Resolution urging President Bush, the United States Senate and the House of Representatives to use all available resources and funds to augment and expedite existing relief efforts to earthquake victims and their families in the western state of Gujarat, India; and further wishing to express condolences to family members of those who have passed away in Bhuj, Ahmedbad, Anjar and other villages impacted by the earthquake as well as sympathy and a speedy recovery to those who have been injured by the earthquake; and further expressing sympathy to those living in the San Francisco Bay Area who have relatives in Gujarat, India that have been impacted by the earthquake.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010177 [Grocery Outlet]
Supervisors Ammiano, Peskin, Daly

Resolution urging Best Buy Electronics to investigate ways to maintain the continued operation of the Grocery Outlet and further urging the owners of Grocery Outlet to consider the option of remaining at the current site and renegotiate with Best Buy Electronics to work out an amenable solution.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010178 [Equity for Filipino Veterans of World War II]
Supervisors Daly, Sandoval, Newsom, McGoldrick, Peskin

Resolution urging President Bush and the United States Congress to amend the 1946 Rescission Act to provide equity for Filipino veterans of World War II.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010179 [Generic Pharmaceuticals to Sub-Saharan Africa]
Supervisors Daly, McGoldrick

Resolution urging President Bush to retain May 10, 2000 Executive Order entitled "Access to HIV/AIDS Pharmaceuticals and Medical Technologies."

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010180 [Gujarat Earthquake]
Mayor, Supervisors Peskin, Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Sandoval, Yee

Resolution extending condolences and greatest sympathy to the people of India and those affected by the Gujarat earthquake, and further urging the citizens of San Francisco to donate resources and assistance to relief efforts established for India as a result of this natural disaster.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010181 [Commendation]
Supervisors Leno, Newsom, Daly, McGoldrick, Maxwell

Resolution commending Timothy Leifield for his years of leadership at the Stop AIDS Project.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010182 [Commendation]
Supervisor McGoldrick**

Resolution commending James Morales, the Executive Director of the Redevelopment Agency, for proposing Standards of Conduct for the Redevelopment Agency Commission and supporting the agency in adopting such standards of conduct.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010183 [Commendation]
Supervisors Yee, McGoldrick, Peskin**

Resolution commending Norm Mineta for his continued work on behalf of Asian Americans and on his appointment to the post of Secretary of Transportation.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010184 [Commendation]
Supervisor Yee**

Resolution commending Elaine Chao for her continued work on behalf of Asian Americans and her new position as Secretary of Labor.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010185 [Commendation]
Supervisors Yee, Hall**

Resolution commending Walgreens for its involvement in the Clean City Summit.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010186 [Commendation]
Supervisor Ammiano**

Resolution commending Autism/Asperger's Syndrome Coalition for Education Networking and Development (AASCEND) on the great occasion of their second annual conference, "Share the Journey" on February 10, 2001 in the City and County of San Francisco.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010187 [Proclamation]
Supervisors Ammiano, Daly**

Resolution proclaiming February 7, 2001 as Carolyn Nielsen Day in the City and County of San Francisco.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010188 [Commendation]
Supervisor Daly**

Resolution commending Laura Thomas and the San Francisco Department of Public Health for the successful application for Ryan White CARE Act Title I funding.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**010189 [City Housing, Inc.]
Supervisors Gonzalez, Ammiano, Daly**

Hearing regarding City Housing, Inc., a non-profit housing management company that receives funds from the City of San Francisco to manage Single Room Occupancy hotels.

1/29/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010190 [Small business incentives, rebates, matching funds]
Supervisor Leno**

Hearing on potential incentives, rebates, matching funds, perhaps using City's growing utilities tax as a revenue source to assist small businesses in acquiring energy efficient equipment for business operations.

1/29/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

**010191 [Internet Server Farms]
Supervisor Maxwell**

Hearing to discuss the proliferation of internet server farms; and power demands and potential environmental and health impacts from internet server farms.

1/29/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee. Sponsor requests this item be scheduled for consideration at the February 27, 2001 meeting.

**010192 [Off-leash Task Force Recommendation]
Supervisor Newsom**

Hearing to review the recommendations of the Recreation and Park Department's Advisory Dogs Off-leash Task Force.

1/29/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

**010194 [Dog Control]
Supervisor Newsom**

Hearing on the San Francisco "vicious and dangerous" dog ordinance and how it intersects with the Food and Agriculture Code regarding "Breed specific" legislation preemption by state law.

1/29/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

**010195 [Employee labor issue]
Supervisor Peskin**

Hearing to examine the practice of City employees taking days and sometimes weeks off their jobs to work on local political campaigns, including, but not limited to, an exploration of the supposed use of compensated time for this practice, as well as the impact on workplace productivity resulting from this practice.

1/29/01, RECEIVED AND ASSIGNED to Finance Committee.

**010196 [Firebomb and extortion of Chinese merchants]
Supervisors Yee, McGoldrick**

Hearing regarding the extortion and firebomb attacks on two Richmond District restaurants, the Mayflower and Seafood Restaurant, and the Tong Palace, specifically to consider actions that can be taken to hold the perpetrators accountable and protect the future safety of residents and merchants during Chinese New Year.

1/29/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

**010197 [Use of cell phone while driving]
Supervisor Ammiano**

Hearing to inquire into ways to encourage drivers to refrain from using cell phones while driving.

1/29/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

Motions

**010193 [Legislative Analyst Request]
Supervisor McGoldrick**

Motion asking the Legislative Analyst to prepare jurisdictional analysis of comprehensive long-range planning processes which include significant neighborhood and community input.

1/29/01, ASSIGNED to Board of Supervisors. Scheduled for consideration February 5, 2001.

**010198 [Legislative Analyst Request]
Supervisors Sandoval, Newsom, Hall**

Motion asking the Legislative Analyst to provide general research and analysis on San Francisco policy regarding business tax relief for businesses that are negatively impacted by major street, sidewalk and transit improvements, including, but not limited to, street repaving, redirection of traffic and public transportation, and loss of parking. Requesting the Legislative Analysts to provide comparative information on other cities' laws and policies regarding business tax relief for businesses that are negatively impacted by major street, sidewalk and transit improvements.

1/29/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration February 5, 2001.

**010199 [Legislative Analyst Request]
Supervisor Daly**

Motion asking the Legislative Analyst to look into and study the working conditions for young temporary workers, especially in the IT (Information Technology) industry.

1/29/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration February 5, 2001.

Introduced by the President at the Request of Departments**PROPOSED ORDINANCES****010149 [Jobs-Housing Linkage Program]**

Ordinance amending Article III, Chapter II, Part II of the San Francisco Municipal Code (Planning Code) by amending Sections 313, 313.1, 313.2, 313.3, 313.4, 313.5, 313.6, 313.7, 313.8, 313.9, 313.10, 313.11, 313.12, 313.13, and 313.14, to rename the "Office Affordable Housing Production Program" as the "Jobs-Housing Linkage Program," to apply the program to all new and expanded hotel space of at least 25,000 square feet, to all new and expanded entertainment space of at least 50,000 square feet, and to all other new and expanded retail space of at least 100,000 square feet; to set forth the number of housing units to be constructed for each type of development subject to this ordinance; to set forth fees for each type of development subject to this ordinance; to increase the number of housing units and fees for office developments; and by adding Section 313.15, to require a study every five years determining the demand for housing created by commercial development. (Planning Department)

(Planning Resolution No. 16044 adopted December 7, 2000 recommending the proposed amendment to the City Planning Code; Planning File No. 1999.178T.)

(Companion measure to File 010150.)

1/24/01, RECEIVED AND ASSIGNED to Finance Committee. Board President requests this item be calendared at the February 7, 2001 meeting

PROPOSED RESOLUTIONS**010110 [Lease of City-owned property at 850 Bryant Street]**

Resolution authorizing and approving lease of City-owned property located on the first floor of the Hall of Justice, 850 Bryant Street, to the Northern California Service League. (Real Estate Department)

1/19/01, RECEIVED AND ASSIGNED to Finance Committee.

010111 [Lease of City-owned property at 400 McAllister Street]

Resolution authorizing and approving lease of City-owned property located on the first floor of the Civic Center Courthouse, 400 McAllister Street, to the Northern California Service League. (Real Estate Department)

1/19/01, RECEIVED AND ASSIGNED to Finance Committee.

010145 [Sublease of Treasure Island Brig Facility for Sheriff's Department]

Resolution approving a sublease, retroactive to July 1, 2000, between the City and County of San Francisco (The "City") and the Treasure Island Development Authority (The "Authority") for certain property on Treasure Island commonly known as the Brig (Buildings 670 and 671) located at the corner of 13th and M Streets on Treasure Island, for an annual rent not to exceed \$250,000 per year. (Real Estate Department)

(Fiscal impact.)

1/24/01, RECEIVED AND ASSIGNED to Finance Committee.

010146 [Lease of property at 1360 Mission Street for DPH-Employee Assistance Program]

Resolution authorizing a new lease of real property currently occupied by the City under the terms of an earlier lease at 1360 Mission Street, San Francisco, for a term of three years commencing retroactively as of July 1, 2000 at an initial monthly rent of \$8,000 per month for the Employee Assistance Program of the Department of Public Health. (Real Estate Department)

1/24/01, RECEIVED AND ASSIGNED to Finance Committee.

010150 [Final Negative Declaration, Jobs-Housing Linkage Ordinance]

Resolution adopting Final Negative Declaration, finding and determining that the Jobs-Housing Linkage Ordinance will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration. (Planning Department)

(Final Negative Declaration adopted and issued on April 27, 1999.)

1/24/01, RECEIVED AND ASSIGNED to Finance Committee.

Requests Granted

From: Supervisor Gonzalez

To: City Attorney

Requesting/Inquiring: To draft legislation prohibiting the use of San Francisco piers or ports by any diesel-powered ferries not registered with the Bay Area Water Transit Authority by April 1, 2001. Further resolved, that the Clerk of the Board notify the Director of the Department of Public Health and all other appropriate City departments that hearing will be scheduled in the near future.

From: Supervisor Hall

To: City Attorney

Requesting/Inquiring: To draft legislation to amend the Urban Forestry Council Legislation, finally passed on January 29, 2001, amending the composition of the Council in such a way as to require at least one of the three representatives of the community to be a private property owner.

From: Supervisor Leno

To: City Attorney

Requesting/Inquiring: To draft legislation creating an Entertainment Commission to address planning, permitting and neighborhood relations for entertainment venues and events.

From: Supervisor Leno

To: City Attorney

Requesting/Inquiring: To draft legislation creating a one time indoor place of entertainment, amplified music and dancing permit using the existing permanent place of entertainment, amplified music and dancing permits to establish temporary permit criteria.

From: Supervisor Leno

To: General Superintendent, Golden Gate National Recreation Area

Requesting/Inquiring: Inquiring how the agency plans to include the Board of Supervisors, Recreation and Park Department, and off-lease, environmental and family advocacy groups in their four month deliberations regarding the Pet Policy for Golden Gate National Recreation Area properties.

Due date: February 12, 2001

From: Supervisor Maxwell

To: Director, Planning Department

Requesting/Inquiring: Requesting that appropriate staff of the Environmental Review Office and Planning Director's office attend a hearing on Tuesday, February 27 at 10 am in the Public Health and Environment Committee to discuss the enormous electrical demands, and potential environmental and health impacts from internet server farms, and that staff come prepared to discuss the following matters:

1. How does the Department track construction of server farms, both by new construction and conversion?
2. How does the Department evaluate potential environmental and health impacts from internet server farms? Why are such projects often exempt from the Environmental Impact Review process?
3. How many server farms already exist in the City? What are their addresses? How large are they?
4. Ms. Gitelman provided a list of server farms reviewed since January 1999. The list does not include a telecom hotel at 6th & Townsend, but there is a huge banner on a building at that location indicating that it is a telecom hotel. Is it on the Department's list?
5. Please explain why the Department is "scoping out" energy consumption issues from "server farms" in its environmental documents.
6. Has the Department verified the assumptions it made regarding how electric demand would increase in the Downtown Plan EIR?
7. Isn't it appropriate to immediately make all server farms a Conditional Use so that the City can monitor them and impose appropriate conditions, such as requiring maximum energy efficiency by use of the least energy intensive technology?
8. Would someone from the Department please visit the site of the 1828 Egbert Street server farm, currently under construction next to several dozen residences, and come prepared to explain how that enormously out-of-scale facility ever made it through the Planning Department.
9. Has anyone analyzed the impacts of the electrical field created when such huge electrical facilities are next to residences? If there are 1,000,000 square feet of server farms on two adjacent blocks near people's homes in Bayview, what type of interference is likely to occur on such things as cell phones, radio and television reception, and most importantly people's health?
10. The Negative Declarations discuss job reductions at most of these sites. Does the Department have any information on how many jobs are in the new facilities versus how many jobs were in the former facilities on these sites?
11. What steps has the Department taken to draw an appropriate radius around the proposed Potrero power plant site to ensure that residences are not constructed too close to that plant? How close to that facility is the 175-unit live/work project proposed on Illinois Street? Why is housing and live/work allowed down to 25th & Illinois when that is so near the power plant?
12. How will the Department be handling utility installations, including server farms, in the rezoning controls for industrial areas? When will the draft be available?
13. When I was campaigning, people near the Egbert facility told me that they had gotten no notice of that enormous building, which looms over residences literally 10 feet away. Would you please provide me with all notice lists for the Egbert and 200 Paul facilities already approved, as well as for the Newhall and 400 Paul facilities currently being reviewed.
14. Is a server farm or other utility installation being reviewed for the former Downtown Rehearsal Studios site at 5700 3rd Street, a site which is about 1000 feet from the 200 Paul site?

From: Supervisor Maxwell

To: Director, Planning Department

1) Requesting/Inquiring: To provide recently issued Preliminary Negative Declarations for the proposed "server farms" at 2660 Newhall Avenue and for 400 Paul Avenue.

2) Copies of environmental documents previously issued for 200 Paul Street and 1828 Egbert Avenue.

3) Supervisor Maxwell has been informed that none of those Negative Declarations has an analysis of the amount of power consumed in those facilities, nor any cumulative analysis of power demand. And that although there are at least four such facilities on adjacent blocks - 1828 Egbert, 2660 Newhall, 200 Paul and 400 Paul - and that those facilities are adjacent to residences, there is no analysis of cumulative impacts from such huge electrical facilities on nearby residents or of the cumulative power demand in that neighborhood. Supervisor Maxwell inquires of Ms. Gitelman whether it would not be wise to amend the 2660 Newhall and 400 Paul Preliminary Negative Declarations now to provide that information rather than waiting until there is an appeal.

From: Supervisor Maxwell

To: Treasurer/Tax Collector

Requesting/Inquiring: To investigate and report whether they can provide any relevant information from their records on the number of server farms or telecom hotels in the City, and if so that a representative from the Treasurer/Tax Collector's office attend a hearing on Tuesday, February 27, 2001 at 10 am in the Public Health and Environment Committee to discuss the above matter.

From: Supervisor Maxwell

To: Director, Department of the Environment

Requesting/Inquiring: To inquire whether the Office of the Environment has developed information relevant to the power demands for server farms and what steps the City can take to maximize energy efficiency; and whether that office has developed information regarding potential health and environmental impacts of server farms; and requesting that a representative of the Department attend a hearing on Tuesday, February 27, 2001 at 10 am in the Public Health and Environment Committee to discuss the above matter.

From: Supervisor Maxwell

To: Assessor

Requesting/Inquiring: To investigate and report if the rent for the server farm at 160 Harrison Street is much higher than the rent charged for the most expensive office space in the City and do their assessments reflect that value? And requesting a representative of the Assessor's Office attend a hearing on Tuesday, February 27, 2001 at 10 am in the Public Health and Environment Committee to discuss the above matter.

From: Supervisor Maxwell

To: Director, Planning Department

Requesting/Inquiring: Requesting her office be sent copies of all environmental documents and all notices for projects in District 10.

From: Supervisor Maxwell

To: Director, Planning Department

Requesting/Inquiring: Requesting copies of all correspondence regarding actions taken on live/work buildings being occupied as offices, particularly enforcement actions.

From: Supervisor McGoldrick

To: City Attorney

Requesting/Inquiring: To draft legislation implementing a Code of Ethics for all City Departments and Commissions.

From: Supervisor Newsom

To: Director, Recreation and Park Department

Requesting/Inquiring: To notify the Director that committee hearing has been called to consider the recommendations of the Advisory Off-leash Dog Task Force, and requesting a representative be ready to report on the best practices of off-leash dog areas in neighboring counties, hearing to be scheduled in the near future.

From: Supervisor Newsom

To: City Attorney

Requesting/Inquiring: To draft an opinion interpreting the recent Ninth Circuit Court of Appeals opinion stating that tenants whose co-habitants are arrested on a drug offense cannot be thrown out for the crime of association. Specifically asking that the City Attorney opine on whether parents or primary care-givers can be evicted from HUD properties when that caregiver may have known their child was using drugs when that child was arrested for this offense.

From: Supervisor Newsom

To: City Attorney

Requesting/Inquiring: To draft legislation to restrict the City purchasing of gasoline to only non-MTBE gas, with the starting date to begin at the close of any existing contracts to purchase MTBE gasoline.

From: Supervisor Newsom

To: General Manager, Recreation and Park Department

To: Director, Parking and Traffic

Requesting/Inquiring: That the General Manager of Recreation and Park Department and Director of Department of Parking and Traffic report what they plan to do to make the entrance to Golden Gate Park at Stanyan and Fell Streets safer, particularly in light of the bicycle/car collision this past Friday and given that the Department has been contemplating safety improvements for bicyclists and pedestrians for nearly two years.

From: Supervisor Newsom

To: Director, Parking and Traffic

Requesting/Inquiring: To investigate and report on what the department is doing to address the ongoing problem of sidewalk parking.

From: Supervisor Newsom

To: General Manager, Recreation and Park Department

Requesting/Inquiring: To investigate and report on the following park issues:

- 1. How the Cow Hollow Playground is patrolled; also informing Recreation and Park Department that this question stems from reports of poor maintenance and security within the park.*
- 2. When the plan for the Marina Harbor will be complete and ready for implementation; further inquiring timelines for implementation.*
- 3. To provide an update on the status of the Palace of Fine Arts restoration, complete with timelines.*

From: Supervisor Peskin

To: City Attorney

Requesting/Inquiring: To investigate and report if it is possible for the City to standardize candidate fundraising limits regardless of whether candidates are carrying campaign debt at the lowest end of the currently allowable limits, and if this is possible, to draft this legislation.

From: Supervisor Peskin

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To report on the feasibility of placing four-way crosswalks, in which pedestrians on all corners cross at once, at congested intersections in the Chinatown district, as well as implementing other pedestrian safety and traffic congestion measures in this district. The response should identify opportunities regarding traffic management and pedestrian safety in Chinatown and an explanation of the process necessary to implement such opportunities.

From: Supervisor Ammiano

To: City Attorney

Requesting/Inquiring: To investigate and report on ways in which the City can require and encourage businesses to conserve energy by refraining from turning on non-essential lighting during non-business hours and further requesting the City Attorney to draft legislation if such an investigation should determine that such an imposition is consistent with Federal, State and local laws.

In the light of recent State-wide energy crisis, the investigation should:

- 1. Examine the City's current Charter and Administrative Code to determine whether the City has jurisdiction, directly or indirectly, to require businesses to refrain from turning on non-essential lighting during non-business hours.*
- 2. Examine State and Federal laws to determine whether the City or State government has jurisdiction, directly or indirectly, to require businesses to refrain from turning on non-essential lighting during non-business hours.*
- 3. Should the investigation conducted by the City Attorney determine that the City has jurisdiction to impose such requirements, then the City prepare such legislation.*
- 4. Should the investigation conducted by the City Attorney determine that either the State or Federal government has jurisdiction to impose such requirements, then the City Attorney should prepare such legislation urging the appropriate State and/or Federally elected officials to impose such a requirement.*

From: Supervisor Ammiano

To: Executive Director of the Multi-Service Center, South Shelter

To: Director of Human Services

To: Mayor's Office of Homelessness

Requesting/Inquiring: That Directors of the Multi-Service Center, South Shelter, Department of Human Services, and Mayor's Office of Homelessness investigate and report on why 44 homeless people were turned away from the Multi-Service Center, South Shelter on January 24, 2001.

The response from the Directors of the various agencies should include the following:

- 1. Corroborate that 44 homeless people were turned away at the Multi-Service Center, South Shelter, on a cold and rainy night at around 8:30 P.M. on January 24, 2001.*
- 2. Determine the primary cause of why the 44 people were turned away.*
- 3. Was there any effort on the part of agency staff to provide adequate referrals?*
- 4. Did agency staff inquire whether or not there were vacancies at other shelters?*
- 5. Did agency staff notify and contact the appropriate City departments for assistance?*
- 6. Were there any efforts made by agency staff or City department staff to any follow up work to determine the status of the 44 homeless people that were turned away?*
- 7. Recommendations on how best to address the primary cause of the problem as well as proposed solutions to avoid such scenarios in the future.*

From: Supervisor Daly

To: Director, Tenderloin Mental Health Clinic

Requesting/Inquiring: To investigate and report on the current state of affairs at the Tenderloin clinic operated by the Bayview-Hunters Point Foundation. This clinic provides mental health services to low income people in District Six. Supervisor Daly understands that a monitoring committee was established to figure out whether the services are actually being provided and requests an update.

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Millie Higginson (Supervisor Hall)

William Arnold Manion (Supervisor Hall)

Jeremiah Francis Daly (Supervisor Hall)

Diane Whipple (By the entire Board)

Victims of Indian Earthquake (By the entire Board)

Iris Martha O'Connor (Supervisors Daly, Hall)

ADJOURNMENT

There being no further business, the Board at the hour of 4:25 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 12, 2001.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689*

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MEETING MINUTES

Monday, February 5, 2001 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

TOM AMMIANO, PRESIDENT

*CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE MCGOLDRICK, GAVIN NEWSOM
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE*

Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Audit, Labor and Government Efficiency Committee

Supervisors Newsom, Daly, McGoldrick

City and School District Committee

Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynns, Commissioner Mar

Economic Vitality, Small Business and Social Policy Committee

Supervisors Sandoval, Newsom, Maxwell

Finance Committee

Supervisors Leno, Peskin, Gonzalez

Housing, Transportation and Land Use Committee

Supervisors McGoldrick, Daly, Peskin

Neighborhood Services and Parks Committee

Supervisors Yee, Hall, Sandoval

Public Health and Environment Committee

Supervisors Maxwell, Yee, Leno

Public Utilities and Deregulation Committee

Supervisors Daly, Gonzalez, Ammiano

Rules Committee

Supervisors Gonzalez, Hall, Ammiano

Meeting Days

2nd & 4th Tuesday
1:00 PM

Call of the Chair

1st & 3rd Tuesday
10:00 AM

Wednesday
10:00 AM

2nd & 4th Thursday
1:00 PM

1st & 3rd Tuesday
1:00 PM

2nd & 4th Tuesday
10:00 AM

Call of the Chair

1st & 3rd Thursday
1:00 PM

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Sophie Maxwell, Jake McGoldrick, Mark Leno, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Maxwell, McGoldrick - 2.

Quorum present.

Supervisor Maxwell was noted present at 2:02 p.m.

Supervisor McGoldrick was noted present at 2:02 p.m.

COMMUNICATIONS

The Clerk read communication from the Department of Elections, dated January 31, 2001, indicating the District 7 Recount has officially ended as of Tuesday, January 30, 2001. There will not be a re-certification of the Official Statement of Vote for the December 12, 2000 Municipal Run-off Election.

Privilege of the Floor

Supervisor Yee, seconded by Supervisor Newsom, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Introduction of Guests and Presentation Made

Supervisor Yee introduced and welcomed the winners of the Fifth Annual 2000-2001 Ability Awards Poster Contest, sponsored by the Independent Living Resource Center, San Francisco Chinese Services. The first place honor was awarded to ten year old, Victor Shiu.

CONSENT AGENDA

Recommendations of the Finance and Labor Committee

- 010041 [Memorandum of Understanding Amendment No. 3 - Electrical Workers, Local 6]
Ordinance implementing Amendment No. 3 to the 1997-2001 Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local 6 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department)
- Ordinance No. 22-01
FINALLY PASSED
- 010042 [Memorandum of Understanding Amendment No. 3 - Glaziers, Local 718]
Ordinance implementing Amendment No. 3 to the 1997-2001 Memorandum of Understanding between the Glaziers, Architectural Metal and Glass Workers, Local Union 718 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department)
- Ordinance No. 23-01
FINALLY PASSED
- 010043 [Memorandum of Understanding Amendment No. 4 - Laborers, Local 261]
Ordinance implementing Amendment No. 4 to the 1997-2001 Memorandum of Understanding between the Laborers International Union, Local 261 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department)
- Ordinance No. 24-01
FINALLY PASSED
- 010044 [Memorandum of Understanding Amendment No. 3 - Machinists, Local 1414]
Ordinance implementing Amendment No. 3 to the 1997-2001 Memorandum of Understanding between the Machinists Union, Local 1414, International Association of Machinists and Aerospace Workers, Machinists Automotive Trades District Lodge 190 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department)
- Ordinance No. 25-01
FINALLY PASSED
- 010045 [Memorandum of Understanding Amendment No. 2 - Pile Drivers, Local 34]
Ordinance implementing Amendment No. 2 to the 1997-2001 Memorandum of Understanding between the Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department)
- Ordinance No. 26-01
FINALLY PASSED

010046 [Memorandum of Understanding Amendment No. 1 - Plumbers, Local 38]

Ordinance implementing Amendment No. 1 to the 1997-2001 Memorandum of Understanding between the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local No. 38 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department)

Ordinance No. 27-01

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Transportation and Land Use Committee

002106 [Urban Forestry Council]

Supervisors Leno, Katz, Bierman

Ordinance amending San Francisco Administrative Code Chapter 5 by adding Article XXIII to create an Urban Forestry Council and to delineate powers and duties for such Council.

(1/2/2001 - Supervisor Yee dissenting in Board.)

Ordinance No. 21-01

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

- 001955 [Grant funds for the construction of the K-Ingleside light rail line and Ocean Avenue serving the Municipal Railway]
Supervisor Newsom

Resolution authorizing the Municipal Transportation Agency to accept and expend \$7,000,000 of State assistance for Ocean Avenue and K-Ingleside street, sidewalk, and transit improvements. (Public Transportation Commission)

Supervisor Sandoval moved to amend by adding the following: "Whereas, Muni and other City departments will work diligently with members of the community to pursue funding for additional improvements to Ocean Avenue during and after the Ocean Avenue Reconstruction and Improvement Project".

Supervisor Sandoval, seconded by Supervisor Hall, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Resolution No. 81-01

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

NEW BUSINESS

Recommendations of the Finance and Labor Committee

- 002145 [S. F. International Airport Advertising Program Lease]

Resolution approving San Francisco International Airport Advertising Program Lease between Transportation Media, Inc. (a division of Eller Media) and the City and County of San Francisco, acting by and through its Airport Commission; requiring notice to the Finance Committee of any proposed advertising program expansion. (Airport Commission)

Resolution No. 82-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

- 010053 [Lease of property at 1421 Broderick Street for Department of Public Health to operate a residential care facility for persons who need 24-hour care and supervision]

Resolution authorizing and approving the lease by and between the City and County of San Francisco, for the Department of Public Health, as tenant, and Seto Family Trust, as landlord, for the property located at 1421 Broderick Street. (Real Estate Department)

Resolution No. 83-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

010104 [Settlement of Grievance, Local 21]

Resolution authorizing settlement of the grievance filed by Glenn Alston and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO ("Local 21"), on behalf of 16 Civilian Fire Inspectors pursuant to the Memoranda of Understanding between Local 21 and the City and County of San Francisco in the aggregate amount of \$81,625.52. (Human Resources Department)

Resolution No. 84-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

PUBLIC COMMENT

Abdalla Megahed, human rights advocate, homeless issues;
Ernestine Weiss, eviction issues, revise Ellis Act, urge creation of Municipal Utility District, animal owners, Planning Commission meetings location and time;
Michael Petrelis, urge commute sentence of gay man on death row, HIV statistics on Andrew Sullivan.com, HIV Stops with Me;
Jim, loss of long time work space in garage, eviction under Ellis Act;
Abel, Sara, Julian, campaign for public power now;
Mary Gold, housing, energy emergency, incentives to homeowners to use alternative energy source, State rebate, capital improvement, no to State buyout;
Dave Pasquerilli, HIV statistics, AIDS not caused by virus, January 19, 2001 closed door meeting on HIV statistics, needs independent body to conduct research on statistics;
Michael Bellafontaine, HIV test and statistics, racial profiling;
Jerry Levy, Grocery Outlet closure;
Katherine Powell, supports takeover of PG&E, use of solar power;
Jim Reid, Grocery Outlet closure to make way for Best Buy, urge using site for affordable housing;
Male speaker, recommends Charter changes, make Supervisors full time, \$250,000 annually, plus health benefits;
Noele, Alan, Autism/Asperger's Syndrome Coalition for Education Networking;
Anastasia, Controller's audit found additional funding, health care, San Francisco Law Library need space, Proposition H landlord issues;
Mark Dunop, support standard of conduct for Redevelopment Agency commissioners and commendation for James Morales;
Edmund, African American History Month, I am Who I am, African Women wear Hats, Jewish American Prince;
Cindy, muzzle law.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

**010193 [Legislative Analyst Request]
Supervisor McGoldrick**

Motion asking the Legislative Analyst to prepare jurisdictional analysis of comprehensive long-range planning processes which include significant neighborhood and community input.

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee
Absent: 1 - Sandoval

**010198 [Legislative Analyst Request]
Supervisors Sandoval, Newsom, Hall**

Motion asking the Legislative Analyst to provide general research and analysis on San Francisco policy regarding business tax relief for businesses that are negatively impacted by major street, sidewalk and transit improvements, including, but not limited to, street repaving, redirection of traffic and public transportation, and loss of parking. Requesting the Legislative Analysts to provide comparative information on other cities' laws and policies regarding business tax relief for businesses that are negatively impacted by major street, sidewalk and transit improvements.

Supervisor Hall requested to be added as co-sponsor.

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee
Absent: 1 - Sandoval

**010199 [Legislative Analyst Request]
Supervisor Daly**

Motion asking the Legislative Analyst to look into and study the working conditions for young temporary workers, especially in the IT (Information Technology) industry.

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee
Absent: 1 - Sandoval

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

010081 [Existing Litigation]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the plaintiffs and claimants, various businesses, are, in sum, challenging the constitutionality of the City's business taxing system. These plaintiffs and claimants are also seeking reimbursement of tax payments made to the City:

Eastman Kodak Company v. San Francisco
San Francisco Superior Court No. 302-983
Date filed: 4/22/99

General Motors Corporation v. San Francisco
San Francisco Superior Court No. 301-510

EOP-580 California Street, L.L.C., et al. v. San Francisco
San Francisco Superior Court No. 315-704

General Motors Corporation, et al. v. San Francisco
San Francisco Superior Court No. 312-487

Hewlett-Packard, et al. v. San Francisco
San Francisco Superior Court No. 306-787

The Neiman Marcus Group, Inc. v. San Francisco
San Francisco Superior Court No. 310-061

Panther Creek Leasing, Inc. et al. v. San Francisco
San Francisco Superior Court No. 307-873

Providian Financial Corporation, et al. v. San Francisco
San Francisco Superior Court No. 316-461

Signature Network, Inc., et al. v. San Francisco
San Francisco Superior Court No. 312-489

Union Pacific Railroad Co., et al. v. San Francisco
San Francisco Superior Court No. 309-421

Various other related cases and claims against San Francisco filed by other businesses.

This closed session would be permitted by Government Code Section 54956.9(c), and San Francisco Administrative Code Section 67.10(d). (City Attorney)

Supervisor Hall, seconded by Supervisor Peskin, moved to excuse Supervisor Newsom from participating in this matter. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Present:

*Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee;
Louise Renne, City Attorney;
Malcolm Carson, Deputy City Attorney;
Joe Quinn, Deputy City Attorney;
Julie van Nostern, Deputy City Attorney;
Ted Lakey, Deputy City Attorney;
Karen Snell, outside counsel;
Ed Harrington, Controller;
Susan Leal, Treasurer;
Gloria L. Young, Clerk of the Board;
Jean Lum, Deputy Clerk
Tape Nos. 01 004; 01 005; 02 006*

HEARD IN CLOSED SESSION.

Supervisor Peskin requested this matter be continued to February 26, 2001

Supervisor Peskin, seconded by Supervisor Leno, moved that this Litigation be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval
Absent: 1 - Yee
Excused: 1 - Newsom

Recess

The Board recessed at the hour of 4:05 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 5:06 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval - 9.

Noted absent: Supervisors Newsom, Yee - 2.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board of Supervisors has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (c) and Administrative Code Section 67.10(d) for the purpose of conferring with, or receiving advice from, the City Attorney regarding the above pending litigation.

The meeting was informational only and no action was taken.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Supervisor Leno, seconded by Supervisor Sandoval, moved not to disclose any information revealed in its closed session deliberation. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval

Absent: 1 - Yee

Excused: 1 - Newsom

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

010164 [Office of Ratepayer Advocates]

Supervisors Gonzalez, Sandoval, McGoldrick, Peskin, Daly

Resolution urging Governor Gray Davis to appoint a director to the state's Office of Ratepayer Advocates.

Supervisors Peskin, Daly requested to be added as co-sponsors.

Resolution No. 85-01

ADOPTED

010165 [Lowell High School]

Supervisors Hall, Newsom

Resolution urging the San Francisco Unified School District to consider every alternative to using Eucalyptus Drive and 25th Avenue as routes of entrance and exit for construction and delivery vehicles during the construction of the new Science/Academic wing at Lowell High School.

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 86-01

ADOPTED

010166 [Extension of Planning Commission Review Period]

Supervisor Leno

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code to adopt an inclusionary affordable housing program.

Resolution No. 87-01

ADOPTED

010167 [Power generating assets]
Supervisors McGoldrick, Gonzalez, Peskin, Daly

Resolution calling for Governor Davis, the California Legislature, and the California Public Utilities Commission to require that any financial assistance to utilities in the form of taxpayer monies or rate increases be accompanied by a transfer of equivalent interests in power generating assets to the State of California.

Supervisors Peskin, Daly requested to be added as co-sponsors.

Resolution No. 88-01

ADOPTED

010168 [Antitrust violation, natural gas suppliers]
Supervisors McGoldrick, Peskin, Daly

Resolution urging the City Attorney to instigate an investigation into possible monopolization, collusion, and fraud by suppliers of natural gas.

Supervisors Peskin, Daly requested to be added as co-sponsors.

Resolution No. 89-01

ADOPTED

010169 [Uninsured children funding]
Supervisors Sandoval, Gonzalez, McGoldrick, Newsom

Resolution urging the Department of Public Health to calculate the amount of money spent annually on uninsured children residing in the City of San Francisco.

Supervisors McGoldrick, Newsom requested to be added as co-sponsors.

Resolution No. 105-01

ADOPTED

010170 [Bond Oversight Committee]
Supervisors Yee, McGoldrick

Resolution urging the San Francisco Public Library to create a Bond Oversight Committee for the Branch Library Bond, and requesting the San Francisco Public Library issue reports to the Board of Supervisors, the Budget Analyst's Office, the Controller, and the Mayor's Office of Public Finance on a quarterly basis which detail all expenditures from the bond funds by facility and by individual projects.

Supervisor McGoldrick requested to be added as co-sponsor.

Resolution No. 106-01

ADOPTED

010172 [Parkside Elementary School and Childcare Center]
Supervisors Yee, Newsom

Resolution urging the San Francisco Unified School District to make the rebuilding of Parkside School and construction of a new childcare center at Parkside School a top priority.

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 90-01

ADOPTED

010173 [Standards of Conduct for Redevelopment Agency Commission]
Supervisors Ammiano, McGoldrick, Daly

Resolution urging the San Francisco Redevelopment Agency (SFRA) Commission to adopt a policy requiring all SFRA Commissioners to disclose any communications that they have with developers, contractors and other parties or individuals who have a matter pending before the SFRA Commission and that such a public disclosure policy require that the name(s) and the substance of the contact be divulged and that such disclosure must occur before the SFRA Commission votes on the matter; and further urging the SFRA Commission to adopt a policy that is based upon SFRA staff evaluation and recommendation as well as public input which would require the public offering of all SFRA property for development and that such a process be uniform and implemented fairly.

Supervisors McGoldrick, Daly requested to be added as co-sponsors.

Resolution No. 108-01

ADOPTED

010174 [Prohibit selling of naming rights of public transit stations]
Supervisors Ammiano, Newsom, Peskin

Resolution urging the Board of Directors of BART and the Municipal Transportation Authority to prohibit the selling of the naming rights of any public transit stations, especially the Embarcadero, Montgomery, Powell and Civic Center stations, to any private entity, corporation or individual.

Supervisor Peskin requested to be added as co-sponsor.

Resolution No. 109-01

ADOPTED

010175 [San Francisco Day Laborer Program]
Supervisors Ammiano, Daly

Resolution urging the Director of the Department of Human Services to permanently locate the San Francisco Day Laborer Program at the 3120 Mission Street site and to negotiate with the current owners of the Department's intentions.

Supervisor Daly requested to be added as co-sponsor.

Resolution No. 110-01

ADOPTED

010176 [India Earthquake]
Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Resolution urging President Bush, the United States Senate and the House of Representatives to use all available resources and funds to augment and expedite existing relief efforts to earthquake victims and their families in the western state of Gujarat, India; and further wishing to express condolences to family members of those who have passed away in Bhuj, Ahmedbad, Anjar and other villages impacted by the earthquake as well as sympathy and a speedy recovery to those who have been injured by the earthquake; and further expressing sympathy to those living in the San Francisco Bay Area who have relatives in Gujarat, India that have been impacted by the earthquake.

Resolution No. 91-01

ADOPTED

010177 [Grocery Outlet]
Supervisors Ammiano, Peskin, Daly

Resolution urging Best Buy Electronics to investigate ways to maintain the continued operation of the Grocery Outlet and further urging the owners of Grocery Outlet to consider the option of remaining at the current site and renegotiate with Best Buy Electronics to work out an amenable solution.

Supervisors Peskin, Daly requested to be added as co-sponsors.

Resolution No. 92-01

ADOPTED

010178 [Equity for Filipino Veterans of World War II]
Supervisors Daly, Sandoval, Newsom, McGoldrick, Peskin

Resolution urging President Bush and the United States Congress to amend the 1946 Rescission Act to provide equity for Filipino veterans of World War II.

Supervisors McGoldrick, Peskin requested to be added as co-sponsors.

Resolution No. 93-01

ADOPTED

010179 [Generic Pharmaceuticals to Sub-Saharan Africa]
Supervisors Daly, McGoldrick

Resolution urging President Bush to retain May 10, 2000 Executive Order entitled "Access to HIV/AIDS Pharmaceuticals and Medical Technologies."

Supervisor McGoldrick requested to be added as co-sponsor.

Resolution No. 94-01

ADOPTED

010180 [Gujarat Earthquake]
Mayor, Supervisors Peskin, Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Sandoval, Yee

Resolution extending condolences and greatest sympathy to the people of India and those affected by the Gujarat earthquake, and further urging the citizens of San Francisco to donate resources and assistance to relief efforts established for India as a result of this natural disaster.

Resolution No. 95-01

ADOPTED

010181 [Commendation]
Supervisors Leno, Newsom, Daly, McGoldrick, Maxwell

Resolution commending Timothy Leifield for his years of leadership at the Stop AIDS Project.

Resolution No. 96-01

ADOPTED

**010182 [Commendation]
Supervisor McGoldrick**

Resolution commending James Morales, the Executive Director of the Redevelopment Agency, for proposing Standards of Conduct for the Redevelopment Agency Commission and supporting the agency in adopting such standards of conduct.

Resolution No. 97-01

ADOPTED

**010183 [Commendation]
Supervisors Yee, McGoldrick, Peskin**

Resolution commending Norm Mineta for his continued work on behalf of Asian Americans and on his appointment to the post of Secretary of Transportation.

Supervisors McGoldrick, Peskin requested to be added as co-sponsors.

Resolution No. 98-01

ADOPTED

**010185 [Commendation]
Supervisors Yee, Hall**

Resolution commending Walgreens for its involvement in the Clean City Summit.

Supervisor Hall requested to be added as co-sponsor.

Resolution No. 99-01

ADOPTED

**010186 [Commendation]
Supervisor Ammiano**

Resolution commending Autism/Asperger's Syndrome Coalition for Education Networking and Development (AASCEND) on the great occasion of their second annual conference, "Share the Journey" on February 10, 2001 in the City and County of San Francisco.

Resolution No. 100-01

ADOPTED

**010187 [Proclamation]
Supervisors Ammiano, Daly**

Resolution proclaiming February 7, 2001 as Carolyn Nielsen Day in the City and County of San Francisco.

Supervisor Daly requested to be added as co-sponsor.

Resolution No. 101-01

ADOPTED

010188 [Commendation]
Supervisor Daly

Resolution commending Laura Thomas and the San Francisco Department of Public Health for the successful application for Ryan White CARE Act Title 1 funding.

Resolution No. 102-01

ADOPTED

010206 [Commendation]
Supervisors Sandoval, Hall, Daly, Newsom

Resolution commending the San Francisco Piper's Club for its continuing efforts to educate San Francisco residents about the Uilleann Pipes, encouraging the learning of the instrument, and helping to preserve it from extinction.

Supervisors Hall, Daly, Newsom requested to be added as co-sponsors.

Resolution No. 103-01

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Severed From For Adoption Without Committee Reference Agenda

010171 [Clean Streets Initiative]
Supervisor Yee

Resolution establishing the Clean Streets Initiative.

Supervisor Yee requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Resolution No. 107-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

010184 [Commendation]
Supervisor Yee

Resolution commending Elaine Chao for her continued work on behalf of Asian Americans and her new position as Secretary of Labor.

Supervisor Daly requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Daly and Supervisor Ammiano requested this matter be sent to committee.

REFERRED to the Economic Vitality, Small Business and Social Policy Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**010224 [Automatic Sprinklers in Residential Hotels]
Supervisors Newsom, Daly**

Ordinance amending the San Francisco Fire Code by adding Section 900.1.3 and the San Francisco Housing Code by amending Section 904, to require the installation of automatic sprinkler systems in residential hotels, as defined in the ordinance.

2/5/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010225 [Western Systems Power Pool]
Mayor, Supervisor Newsom**

Ordinance amending Ordinance No. 54-92 to increase the authority of the Public Utilities Commission to approve agreements with the Western System Power Pool from one year to periods not to exceed five years.

2/5/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**010226 [Tenancies In Common]
Supervisor Daly**

Draft ordinance amending Part II, Chapter XIII of the San Francisco Municipal Code (Subdivision Code) by amending Sections 1302, 1308, 1388, and 1396, and by adding Section 1316, to prohibit tenancies-in-common where an exclusive right of occupancy exists but is not specified in the deed, to amend the annual condominium conversion requirements pertaining to tenants and owner occupants, to amend the definition of tenant, to exempt certain tenancies-in-common from the annual limit on condominium conversions, to create a special lottery process for purchasing tenants; and to amend other definitions to implement these measures.

2/5/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 3/7/2001.

Resolutions

**010227 [State Legislation, AB 25]
Supervisors Leno, Maxwell, Ammiano, McGoldrick, Newsom, Daly**

Resolution urging the California Assembly to pass AB 25 the Equal Benefits Ordinance.

2/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 010228 [Santa Clara County BART Buy In]
Supervisors McGoldrick, Gonzalez, Daly, Peskin, Leno, Maxwell, Newsom

Resolution declaring City policy that San Francisco should share in any "Buy In" funds made available by Santa Clara County as part of its agreements with the Bay Area Rapid Transit District to extend BART to San Jose, that such moneys should be used to help fund San Francisco's voter-approved rail extension projects, urging further progress on the Geary Corridor fixed guideway project, and establishing principles for agreement regarding the San Jose extension and other BART extensions.
2/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 010229 [St. Mary's Medical Center Psychiatric Programs]
Supervisors Ammiano, Gonzalez, Maxwell, Daly

Resolution urging Catholic Healthcare West and the administration of St. Mary's Medical Center to take all steps necessary to maintain the Adult Psychiatric Partial Hospitalization and AfterCare Intensive Outpatient programs and urging the Director of Public Health to investigate whether such closures are subject to hearings of the San Francisco Health Commission pursuant to Proposition Q.
2/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 010230 [State administered long-term energy contracts]
Supervisors Ammiano, Peskin, Daly

Resolution urging San Francisco's State Assembly, State Senate Delegations and City Lobbyist to oppose the State of California entering into any long-term state energy contracts that would in any way preclude, restrict, or inhibit San Francisco from developing its own power generation capabilities and selling that power to San Francisco residents and businesses.
2/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 010231 [Transbay Terminal Joint Exercise of Powers Agency]
Mayor, Supervisor Ammiano

Resolution authorizing the City and County of San Francisco to form a joint powers agency for the purpose of developing, designing, constructing and operating a new intermodal transit facility on and adjacent to the site of the existing Transbay Terminal, approving a form of the agreement creating the joint exercise of powers agency, urging the Bay Area Toll Authority to allocate funds to the development project, and urging the State Legislature to appropriate funds and transfer real property to support development of the new transit facility.
2/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 010232 [Ellis Act Revisions]
Supervisors Daly, Ammiano, Gonzalez, McGoldrick

Resolution urging members of the State Legislature to introduce amendments to the Ellis Act to prevent evictions.
2/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing**010132 [Lake Merced Task Force Report]
Supervisor Hall**

Hearing to provide the Board of Supervisors an opportunity to receive a status report from the Lake Merced Task Force on its work to address the problems at Lake Merced and to receive a report from Cal Trout to explain its filing of an administrative petition against Daly City, and various golf courses and cemeteries surrounding Lake Merced.

1/22/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

2/5/01, SUBSTITUTED. Supervisor Hall submitted a substitute hearing text.

2/5/01, ASSIGNED to Neighborhood Services and Parks Committee.

**010233 [Transportation Safety Study]
Supervisor Leno**

Hearing to consider a transportation safety study for Market Street extending from Van Ness to Embarcadero.

2/5/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010234 [Hunters Point Shipyard Environmental Clean-up]
Supervisors Maxwell, Ammiano, Daly, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee**

Hearing on the implementation of Proposition P: Declaration of Policy Supporting Environmental Clean-up to Residential Levels for the Hunters Point Shipyard.

2/5/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee. Sponsor requests this item be scheduled for consideration at the March 27, 2001 meeting.

**010235 [Planning Department Fee Tracking System]
Supervisors McGoldrick, Gonzalez**

Hearing to consider the practices of the Planning Department in tracking and collecting affordable housing fees, transit impact fees, childcare fees, and the like.

2/5/01, RECEIVED AND ASSIGNED to Finance Committee.

**010236 [Port Contract Practices]
Supervisor McGoldrick**

Hearing to consider the contracting practices at the Port, with focus on the Pier 30-32 project for a cruise terminal.

2/5/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010237 [Emergency Room Admissions]
Supervisor Newsom**

Hearing to discern the increase in emergency room admission and what can be done to accommodate need while reducing the number of admissions if possible, also to explore the issue of diversion management.

2/5/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

010238 [Warehouse-style Store Safety Issues]
Supervisor Ammiano

Hearing to consider customer and worker safety issues related to large, warehouse-style stores, including, but not limited to, height policies for stacked stock, maintenance of stacked stock, and forklift use during store hours.

2/5/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

010239 [St. Mary's Medical Center]
Supervisor Ammiano

Hearing to consider proposed closure of St. Mary's Medical Center Adult Psychiatric Partial Hospitalization and AfterCare Intensive Outpatient programs.

2/5/01, RECEIVED AND ASSIGNED to Finance Committee.

010240 [Native American Cultural Center]
Supervisor Ammiano

Hearing to consider progress on planning for the Native American Cultural Center.

2/5/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

010241 [Community Land Trusts]
Supervisors Daly, Gonzalez, Maxwell

Hearing to study how community land trusts would assist in easing our housing crisis.

2/5/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

010242 [Public Utilities Commission]
Supervisor Gonzalez

Hearing to discuss the appointment process, structure, and overall effectiveness of the San Francisco Public Utilities Commission.

2/5/01, RECEIVED AND ASSIGNED to Rules Committee.

Motions

010243 [Rules of Order Amendment]
Supervisors Peskin, Ammiano, Maxwell

Motion amending the Rules of Order of the Board of Supervisors of the City and County of San Francisco to establish a new process for the Board's consideration of Mayoral appointments to the Planning Commission, the Board of Appeals, and the Public Utilities Commission, the new process requiring the Clerk of the Board to prepare and submit for Board consideration a motion approving, and another motion rejecting, each appointment made by the Mayor.

2/5/01, RECEIVED AND ASSIGNED to Rules Committee.

**010244 [Legislative Analyst Request]
Supervisor Sandoval**

Motion asking the Legislative Analyst to (1) conduct a survey of all City departments to determine their use of Geographic Information System (GIS); (2) determine whether the Board of Supervisors, City departments, and the public has access to or could have access to such GIS systems; and (3) research the possible linkage of all such systems.

2/5/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration February 12, 2001.

**010245 [Legislative Analyst Request]
Supervisor Sandoval**

Motion asking the Legislative Analyst to survey other cities, counties, and jurisdictions about legislation enacted regarding reasonable surcharge rates for wire transfer services, such as Western Union, and MoneyGram.

2/5/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration February 12, 2001.

**010246 [Legislative Analyst Request]
Supervisor Ammiano**

Motion asking the Legislative Analyst to prepare a report, in consultation with the Director of Consumer Assurance on recommended safety standards for warehouse-style stores. The report should include review of the "CBS Evening News" and "Inside Edition" exposes of accidents at warehouse-style stores and recommendations from the American Society of Safety Engineers, the Occupational Health and Safety Administration (OSHA) and Cal-OSHA regarding storage, handling and forklift use in warehouse stores.

2/5/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration February 12, 2001.

**010247 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

2/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

010160 [Settlement of Litigation]

Ordinance authorizing settlement of the lawsuits filed by Golden Eagle Insurance Co. and Martha Johnson against the City and County of San Francisco for the total amount of \$150,000; the lawsuits were filed on August 17, 1998 and August 25, 1998 in San Francisco Superior Court, Case Nos. 997-242 and 997-465; entitled Golden Eagle Insurance Co. v. City and County of San Francisco, et al. and Martha Johnson v. City and County of San Francisco, et al. (City Attorney)

1/29/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Confidential letter dated December 6, 2000 is on file with the Clerk of the Board.

- 010208 [Government funding, Hetch Hetchy's power purchases]**
Ordinance appropriating \$25,400,000 of Hetch Hetchy Operating Fund to fund the purchase of power to meet municipal and contractual obligations for fiscal year 2000-01. (Controller)
- (Fiscal impact.)
1/31/01, RECEIVED AND ASSIGNED to Finance Committee.

PROPOSED RESOLUTIONS

- 010147 [Children's Services Plan]**
Supervisor Newsom
- Resolution approving the FY 2001-2002 to update the 2000-2002 Children's Services Plan for the San Francisco Children's Fund in accordance with Charter Section 16.108. (Mayor)
1/26/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.
Supervisor Newsom requested to be added as sponsor.
- 010159 [State grant, Long Term Care Innovation]**
Supervisor Newsom
- Resolution authorizing the Department of Aging and Adult Services to accept and expend a grant in the amount of \$1,711,753 from the California Department of Aging to develop a web-based information system for integrating community-based long term care services. (Adult and Aging Services)
1/29/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.
Supervisor Newsom requested to be added as sponsor.
- 010161 [Airport Concession Lease]**
Resolution approving the Boarding Area "F" Cosmetic and Toiletries Lease between Buth-Na-Bodhaige, Inc. dba The Body Shop, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
1/29/01, RECEIVED AND ASSIGNED to Finance Committee.
- 010201 [Contingent Fee Agreement in Electric Power Litigation]**
Resolution approving contingency fee agreement in People of the State of California by and through San Francisco City Attorney Louise H. Renne v. Dynegy Power Marketing, Inc., et al. (City Attorney)
1/31/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.
- 010202 [Lead Litigation Contingency Fee Agreement]**
Resolution approving contingency fee agreement in County of Santa Clara, et al. v. Atlantic Richfield Company, et al. (City Attorney)
1/31/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

010207 [State grant for continuation of the Public Library's Access News Program for blind and sight impaired patrons]
Supervisor Newsom

Resolution authorizing San Francisco Public Library to accept and expend a grant of \$25,000 from California State Library, Public Library Projects for Access News Program.

1/31/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

Supervisor Newsom requested to be added as sponsor.

Requests Granted

From: Supervisor Hall

To: Chairman, Local Agency Formation Commission (LAFCo)

Requesting/Inquiring: That the Chairman of the Local Agency Formation Commission investigate and reports how boundaries for the Municipal Utility District (MUD) were drawn.

The response from the Chairman should include the following:

- a. What process was used to draw the ward boundaries for the proposed Municipal Utility District?*
- b. What considerations were used in drawing these boundaries (i.e. why were some neighborhoods grouped together, and why were some neighborhoods separated)?*
- c. How much weight was given to various geographic, ethnic and neighborhood issues in drawing the ward boundaries?*
- d. What role, if any, did Professor Richard DeLeon, of San Francisco State University have in the development of the ward boundaries?*
- e. How many, if any, neighborhood meetings were held to discuss these ward boundaries with residents in San Francisco and Brisbane?*
- f. Was there any public comment offered on the ward boundaries at meetings of the LAFCo?*
- g. Were the ward boundaries drawn up by one person in his own living room as testified to at a Finance Committee meeting last year?*
- h. Were any other ward boundary configurations considered; if so, what were they, and why were they discarded?*

Due: February 12, 2001

From: Supervisor Leno

To: Controller

Requesting/Inquiring: To investigate and report on overtime pay over the past ten years in dollar amount as well as percentage over budget for employees of the Fire Department, Police Department and Sheriff's Department.

Due: February 20, 2001

From: Supervisor Leno

To: City Attorney

Requesting/Inquiring: To draft legislation to move the funding and procedures for dog licenses in San Francisco from the Treasurer's Office to the Department of Animal Care and Control.

From: Supervisor Leno

To: City Attorney

Requesting/Inquiring: To draft legislation to require that all newly constructed commercial buildings have a bicycle storage space, regardless of inclusion of a parking garage.

From: Supervisor McGoldrick

To: Director, Planning Department

Requesting/Inquiring: To investigate and report how a determination is made by his office concerning "business services" classifications of development projects.

The response from the Director should include the following:

- a. Requesting a set of all of the determinations that the Planning Department has made in the past two years that certain businesses are "business service" uses*
- b. What steps has the Department taken to ensure that those businesses actually occupy the space for which you have issued determinations? With the spat of recent dot.com failures and layoffs local papers have reported that some of those businesses no longer exist. Do you require Notices of Special Restrictions to be recorded for sites for which you have made a tenant specific determination that a use is not "office use" but some other classification? If not, why not?*
- c. Requesting copies of any letters you have sent informing the landlord that they could not put in a different office or "multimedia" tenant because the company you determined to be a "business service" no longer exists either at that site or at all.*
- d. Requesting a response to the Business Times article (February 2, 2001) which reported that 250 Brannan Street (which has about 100,000 square feet of "business service" use) is currently being marketed by the developer, and if this site is being monitored by the Planning Department?*
- e. Requesting a copy on all determinations of "business service" at the time issued, and all determinations made since November 1, 2000 sent immediately.*

From: Supervisor Newsom

To: Director, Department of Public Health

Requesting/Inquiring: To investigate and report what can be done to accommodate the needs of patients visiting the emergency room, including diversion; further informing the department that this information is requested in advance of a hearing on this topic.

From: Supervisor Newsom

To: General Manager, Muni

Requesting/Inquiring: To investigate and report whether Muni can locate funds, or use uncalled contracts, to perform an extensive implementation study on centralized dispatch for taxis, under the umbrella of the paratransit program. Also inquiring whether other agencies, such as BART, could supply partial funding for this study.

From: Supervisors Peskin, Ammiano

To: City Attorney

Requesting/Inquiring: To draft legislation to amend Section 308.1B of the Planning Code to add a provision whereby a proposed amendment for conditional use that has been approved by the Planning Commission can be appealed to the Board of Supervisors if a minimum of four Supervisors subscribe to said appeal.

From: Supervisor Sandoval

To: City Attorney

Requesting/Inquiring: To draft legislation requiring San Francisco money wire transfer services, including Western Union, Money Gram and check cashing businesses, to set a reasonable surcharge rate, including enforcement and penalty provisions that permits individuals to pursue civil action in the event that a financial institution is in violation of the law.

From: Supervisors Yee, Ammiano

To: City Attorney

Requesting/Inquiring: To draft legislation to amend the Administrative Code to require that all contracts between the Department of Public Health and any health care provider, including non-profit and for-profit hospitals and community-based organizations, contains a provision that requires these entities to inform the Department of Public Health when they intend to eliminate or scale back any program that provides direct health care services.

From: Supervisors Ammiano, Gonzalez, Peskin, Sandoval

To: Chief Administrator, Chairman, Refuse Collection and Rate Board

Requesting/Inquiring: To investigate and report on proposed garbage rate increase.

From: Supervisor Ammiano

To: Director, Telecommunications and Information Services

To: Director, Building Inspection

Requesting/Inquiring: To report on the feasibility of establishing a program to broadcast the names of large landlords and information related to their unabated code violations on the City's government channel.

From: Supervisor Ammiano

To: City Attorney

Requesting/Inquiring: To draft legislation establishing minimum safety standards to ensure customer safety in warehouse-style stores.

From: Supervisor Ammiano

To: Mayor Brown

cc: California Attorney General, Bill Lockyer

cc: Director, Redevelopment Agency

Requesting/Inquiring: In support of Mayor Brown's call for the Attorney General to commence an investigation into Commissioner Mark Dunlop's charge against Commissioner Leroy King, that he engaged in sexual harassment and gross misconduct in violation of the City's zero tolerance policy.

From: Supervisor Daly

To: Chief of Police

Requesting/Inquiring: To investigate and report on two violent incidents in District 6:

- 1. The murder of Vincent Hubbard at 390 Turk Street in the Tenderloin; and*
- 2. The shooting of an unknown person under the Central Freeway at the corner of Market and McCoppin.*

From: Supervisors Gonzalez, McGoldrick

To: City Attorney

Requesting/Inquiring: To send a letter to 1600 Webster Street Associates informing them that any density or use amendments to 1790 Post Street which do not reflect the original intent of the Western Addition A-2 Redevelopment Project Area will require a plan amendment from the San Francisco Redevelopment Agency Commission and approval from the San Francisco Board of Supervisors.

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

John Brennan (Supervisor Peskin)

Kent Wheatland (Supervisor Ammiano)

Vincent Hubbard (Supervisor Daly)

ADJOURNMENT

There being no further business, the Board at the hour of 5:09 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 26, 2001.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board



BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

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MEETING MINUTES

Monday, February 12, 2001 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

TOM AMMIANO, PRESIDENT

**CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE MCGOLDRICK, GAVIN NEWSOM
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE**

Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Audit, Labor and Government Efficiency Committee

Supervisors Newsom, Daly, McGoldrick

City and School District Committee

Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynns, Commissioner Mar

Economic Vitality, Small Business and Social Policy Committee

Supervisors Sandoval, Newsom, Maxwell

Finance Committee

Supervisors Leno, Peskin, Gonzalez

Housing, Transportation and Land Use Committee

Supervisors McGoldrick, Daly, Peskin

Neighborhood Services and Parks Committee

Supervisors Yee, Hall, Sandoval

Public Health and Environment Committee

Supervisors Maxwell, Yee, Leno

Public Utilities and Deregulation Committee

Supervisors Daly, Gonzalez, Ammiano

Rules Committee

Supervisors Gonzalez, Hall, Ammiano

Meeting Days

2nd & 4th Tuesday
1:00 PM

Call of the Chair

1st & 3rd Tuesday
10:00 AM

Wednesday
10:00 AM

2nd & 4th Thursday
1:00 PM

1st & 3rd Tuesday
1:00 PM

2nd & 4th Tuesday
10:00 AM

Call of the Chair

1st & 3rd Thursday
1:00 PM

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Sophie Maxwell, Jake McGoldrick, Mark Leno, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:04 p.m. On call of the roll, all Supervisors were noted present.

Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Yee, seconded by Supervisor McGoldrick, moved to **APPROVE** the December 18, 2000 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued or considered differently.

Supervisor Daly indicated the matter relating to appointment of members of the Union Square Business Improvement District, File 002151. (See infra.)

CONSENT AGENDA

Recommendation of Finance Committee

**010047 [Law Enforcement Training]
Supervisor Newsom**

Resolution authorizing the Chief of Police to execute an agreement with the State of California to obtain funding in the amount of One Hundred Three Thousand Three Hundred Fifty Eight Dollars (\$103,358) for obtaining training equipment. (Police Department)

Resolution No. 117-01

ADOPTED

Recommendations of the Rules Committee

001799 [Appointment]

Resolution appointing Marvin Ruiz to the Lead Hazard Reduction Citizens Advisory Committee, term ending December 22, 2003; waiving residency requirement.

Marvin Ruiz, Seat 2, succeeding Peter Burns, must represent the Bureau of Building Inspection, Department of Public Works or designee, unexpired portion of four-year term ending December 22, 2003; residency requirement waived.

Resolution No. 113-01

ADOPTED

001750 [Appointment]

Resolution appointing Rebecca Dandois, Cheryl Magid, Francisco Casique, and Akua Jackson, term ending August 20, 2003, and Michelle Horneff, term ending August 20, 2001, to the Lead Poisoning Prevention Citizens Advisory Committee; waiving residency requirement.

Rebecca, Dandois (residency requirement waived), Seat 1, succeeding Jans Wan, must have expertise in childcare, unexpired portion of 4-year term ending August 20, 2003;

Cheryl Magid, Seat 2, succeeding Virginia Aguilar, must have expertise in childcare, unexpired portion of 4-year term ending August 20, 2003;

Francisco Casique (residency requirement waived), Seat 3, succeeding Sandra Carrillo, must represent a tenant organization, unexpired portion of 4-year term ending August 20, 2003;

Michelle Horneff, Seat 14, succeeding Michael Miller, must have expertise in real estate, new 4-year term ending August 20, 2001;

Akua Jackson (residency requirement waived), Seat 20, succeeding Basheem Allah, must have expertise in neighborhood concerns, unexpired portion of 4-year term ending August 20, 2003.

Resolution No. 112-01

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Severed from the Consent Agenda

002151 [Appointment]

Resolution appointing Mark Heinzelman, Russell Keil, and Stephen Brett to the Union Square Business Improvement District Advisory Board, terms ending June 30, 2004; waiving residency requirement.

Mark Heinzelman, Seat 3, succeeding Jordan Meisner, must be property owner within the business improvement district, for unexpired portion of a five-year term ending June 30, 2004; Russell Keil (residency requirement waived), Seat 5, succeeding James Flood, must be property owner within the business improvement district, for unexpired portion of a five-year term ending June 30, 2004; Stephen Brett (residency requirement waived), Seat 6, succeeding Ann Paolini, must be property owner within the business improvement district, for unexpired portion of a five-year term ending June 30, 2004.

Supervisor Daly requested this matter be severed so it could be considered separately.

SEVERED FROM CONSENT AGENDA.

Supervisor Daly requested this matter be continued to February 20, 2001.

Supervisor Daly, seconded by Supervisor Leno, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

REGULAR AGENDA

NEW BUSINESS

Appointment of President Pro Tempore

At the request of the President, Supervisor Daly assumed the Chair so the President could participate in the debate from the floor concerning the following items.

Recommendations of the Finance Committee

010150 [Final Negative Declaration, Jobs-Housing Linkage Ordinance]

Resolution adopting Final Negative Declaration, finding and determining that the Jobs-Housing Linkage Ordinance will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration. (Planning Department)

(Final Negative Declaration adopted and issued on April 27, 1999.)

Supervisor Yee, seconded by President Ammiano, moved to excuse Supervisor Newsom from voting on this matter, at his request. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

The roll was then called on the pending resolution.

Resolution No. 120-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval, Yee

Excused: 1 - Newsom

000276 [Planning Code amendment to rename "Office Affordable Housing Production Program" as the "Jobs-Housing Linkage Program" and to apply the program to hotel, entertainment, and retail space according to square footage]

Supervisors Ammiano, Bierman

Ordinance amending Article III, Chapter II, Part II of the San Francisco Municipal Code (Planning Code) by amending Sections 313, 313.1, 313.2, 313.3, 313.4, 313.5, 313.6, 313.7, 313.8, 313.9, 313.10, 313.11, 313.12, 313.13, and 313.14, to rename the "Office Affordable Housing Production Program" as the "Jobs-Housing Linkage Program," to apply the program to all new and expanded hotel space of at least 25,000 square feet, to all new and expanded entertainment space of at least 25,000 square feet, to all new and expanded retail space of at least 25,000 square feet, and to all new and expanded research and development space of at least 25,000 square feet; to set forth the number of housing units to be constructed for each type of development subject to this Ordinance; to increase the number of housing units and fees for office developments; and by adding Section 313.15 to require a study every five years determining the demand for housing created by commercial development.

Supervisor Yee, seconded by President Ammiano, moved to excuse Supervisor Newsom from voting on this matter, at his request. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Supervisor Ammiano submitted an amendment of the whole, bearing same title.

President Ammiano, seconded by Supervisor McGoldrick, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval, Yee
Excused: 1 - Newsom

Supervisors Peskin, Daly requested to be added as co-sponsors.

The roll was then called on the pending ordinance.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval, Yee
Excused: 1 - Newsom

The President resumed the Chair.

002181 [Liquor License Transfer, 85 Natoma Street]

Resolution determining that the transfer of a Type 48 on-sale general public premises alcoholic beverage control license to Raymond J. Pittman for Toma Holdings, LLC, dba "Toma" from 511 Harrison Street to 85 Natoma Street, (District 6) will serve the public convenience and necessity of the people of the City and County of San Francisco in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Resolution No. 114-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

**010048 [Grant funds for District Attorney's organized automobile fraud activity prosecution program]
Supervisor Newsom**

Resolution authorizing retroactively the District Attorney of the City and County of San Francisco to apply for, accept and expend funds made available through the California Department of Insurance (DOI) for a project entitled "Organized Automobile Fraud Activity Interdiction ("Urban Grant") Program", and including indirect cost not to exceed 5% of grant-funded personnel costs. (District Attorney)

Supervisor Newsom requested to be added as sponsor.

Resolution No. 118-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Recommendations of the Neighborhood Services and Parks Committee

010004 [One-year extension to temporarily close portion of sidewalk and street area on Jessie Street for construction at 680 Mission Street]

Resolution granting a one year extension of revocable permission to Pankow Residential Building II, L.P. to temporarily close and occupy the south sidewalk and a portion of the street area on Jessie Street during construction operations at 680 Mission Street (Block 3707. Lot 26). (Public Works Department)

Resolution No. 115-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

010005 [Encroachment permit on McAllister Street for the Asian Art Museum]

Resolution granting revocable permission to the Asian Art Museum of San Francisco to excavate, install, and occupy a portion of the right-of-way with a new transformer vault and a base isolation structural system with a perimeter moat, allowing 5'-0" of total building movement in an earthquake, at the McAllister Street frontage of the Asian Art Museum at 200 Larkin Street (Block 353, Lot 1) and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

Resolution No. 116-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Recommendations of the Rules Committee

**010120 [Meeting Schedule]
Supervisor Ammiano**

Resolution revising the regular meeting schedule of the Board of Supervisors by canceling the November 26, 2001, December 24, 2001 and December 31, 2001 meetings and by canceling all Board and Committee meetings from August 28 through September 16, 2001.

Resolution No. 119-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Appointment of President Pro Tempore

At the request of the President, Supervisor Leno assumed the Chair so the President could participate in the debate from the floor concerning the following items.

002110 [Municipal Utility District Wards]
Supervisors Ammiano, McGoldrick

Motion establishing wards for proposed Municipal Utility District Election.

Motion No. M01-13

APPROVED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Leno, Peskin, Sandoval, Yee

Noes: 2 - Hall, Newsom

002111 [Special election for Municipal Utility District petition]
Supervisors Ammiano, McGoldrick, Daly

Motion calling and providing for a Special Election to be held in the City and County of San Francisco and the City of Brisbane on Tuesday, November 6, 2001, for the purpose of submitting to the voters a proposal to form a Municipal Utility District for the City and County of San Francisco and the City of Brisbane; consolidating the Special Election with the General Municipal Election to be held in the City and County of San Francisco on November 6, 2001.

Supervisor Gonzalez submitted an amendment of the whole, bearing new title.

Supervisor Gonzalez, seconded by President Ammiano, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Motion calling and providing for a Special Election to be held in the City and County of San Francisco and the City of Brisbane on Tuesday, November 6, 2001, for the purpose of submitting to the voters a proposal to form a Municipal Utility District for the City and County of San Francisco and the City of Brisbane, to be known as the "San Francisco-Brisbane Municipal Utility District"; consolidating the Special Election with the General Municipal Election to be held in the City and County of San Francisco on November 6, 2001.

Supervisor Daly requested to be added as co-sponsor.

The roll was then called on the main motion.

Motion No. M01-14

APPROVED AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Leno, Peskin, Sandoval, Yee

Noes: 2 - Hall, Newsom

COMMITTEE REPORTS

Recommendations of Housing, Transportation and Land Use Committee

**010048 [Grant funds for District Attorney's organized automobile fraud activity prosecution program]
Supervisor Newsom**

Resolution authorizing retroactively the District Attorney of the City and County of San Francisco to apply for, accept and expend funds made available through the California Department of Insurance (DOI) for a project entitled "Organized Automobile Fraud Activity Interdiction ("Urban Grant") Program", and including indirect cost not to exceed 5% of grant-funded personnel costs. (District Attorney)

Supervisor Newsom requested to be added as sponsor.

Resolution No. 118-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Recommendations of the Neighborhood Services and Parks Committee

010004 [One-year extension to temporarily close portion of sidewalk and street area on Jessie Street for construction at 680 Mission Street]

Resolution granting a one year extension of revocable permission to Pankow Residential Building II, L.P. to temporarily close and occupy the south sidewalk and a portion of the street area on Jessie Street during construction operations at 680 Mission Street (Block 3707. Lot 26). (Public Works Department)

Resolution No. 115-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

010005 [Encroachment permit on McAllister Street for the Asian Art Museum]

Resolution granting revocable permission to the Asian Art Museum of San Francisco to excavate, install, and occupy a portion of the right-of-way with a new transformer vault and a base isolation structural system with a perimeter moat, allowing 5'-0" of total building movement in an earthquake, at the McAllister Street frontage of the Asian Art Museum at 200 Larkin Street (Block 353, Lot 1) and adopting findings pursuant to Planning Code Section 101.I. (Public Works Department)

Resolution No. 116-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Recommendations of the Rules Committee

**010120 [Meeting Schedule]
Supervisor Ammiano**

Resolution revising the regular meeting schedule of the Board of Supervisors by canceling the November 26, 2001, December 24, 2001 and December 31, 2001 meetings and by canceling all Board and Committee meetings from August 28 through September 16, 2001.

Resolution No. 119-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Appointment of President Pro Tempore

At the request of the President, Supervisor Leno assumed the Chair so the President could participate in the debate from the floor concerning the following items.

002110 [Municipal Utility District Wards]
Supervisors Ammiano, McGoldrick

Motion establishing wards for proposed Municipal Utility District Election.

Motion No. M01-13

APPROVED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Leno, Peskin, Sandoval, Yee
Noes: 2 - Hall, Newsom

002111 [Special election for Municipal Utility District petition]
Supervisors Ammiano, McGoldrick, Daly

Motion calling and providing for a Special Election to be held in the City and County of San Francisco and the City of Brisbane on Tuesday, November 6, 2001, for the purpose of submitting to the voters a proposal to form a Municipal Utility District for the City and County of San Francisco and the City of Brisbane; consolidating the Special Election with the General Municipal Election to be held in the City and County of San Francisco on November 6, 2001.

Supervisor Gonzalez submitted an amendment of the whole, bearing new title.

Supervisor Gonzalez, seconded by President Ammiano, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Motion calling and providing for a Special Election to be held in the City and County of San Francisco and the City of Brisbane on Tuesday, November 6, 2001, for the purpose of submitting to the voters a proposal to form a Municipal Utility District for the City and County of San Francisco and the City of Brisbane, to be known as the "San Francisco-Brisbane Municipal Utility District"; consolidating the Special Election with the General Municipal Election to be held in the City and County of San Francisco on November 6, 2001.

Supervisor Daly requested to be added as co-sponsor.

The roll was then called on the main motion.

Motion No. M01-14

APPROVED AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Leno, Peskin, Sandoval, Yee
Noes: 2 - Hall, Newsom

COMMITTEE REPORTS

Recommendations of Housing, Transportation and Land Use Committee

010060 [Rent passthrough]
Supervisor Gonzalez

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by adding a new Section 37.8C "Temporary Moratorium on Rent Board processing or approval of landlord petitions for certification and passthrough of capital improvement, rehabilitation and energy conservation costs to tenants, during pendency of the Superior Court's preliminary injunction staying implementation of November 2000 Proposition H."

Supervisor Leno, seconded by Supervisor Yee, moved to excuse Supervisor Newsom from voting on this matter, at his request. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Supervisor Leno, seconded by Supervisor Peskin, moved to excuse Supervisor Maxwell from voting on this matter, at her request. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval, Yee
Absent: 1 - Newsom

Supervisor Peskin submitted an amendment of the whole, bearing new title.

Supervisor Peskin, seconded by Supervisor McGoldrick, moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE**. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, McGoldrick, Leno, Peskin, Sandoval, Yee
Excused: 2 - Maxwell, Newsom

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by adding a new Section 37.8C "Temporary Moratorium on Rent Board processing or approval of landlord petitions for certification and passthrough of non-seismic capital improvement, rehabilitation and energy conservation costs to tenants, during pendency of the Superior Court's preliminary injunction staying implementation of November 2000 Proposition H."

Supervisors Peskin, Daly requested to be added as co-sponsors.

The roll was then called on the pending ordinance.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 7 - Ammiano, Daly, Gonzalez, McGoldrick, Leno, Peskin, Sandoval
Noes: 2 - Hall, Yee
Excused: 2 - Maxwell, Newsom

Appointment of President Pro Tempore

At the request of the President, Supervisors McGoldrick and Gonzalez assumed the Chair, at different times, so the President could participate in the debate from the floor concerning the following items.

**010062 [Zoning, Live/Work Moratorium]
Supervisors Ammiano, Daly, Maxwell, McGoldrick**

Resolution imposing interim zoning controls to prohibit construction of new live/work developments, as defined in San Francisco Planning Code Section 102.13, in the City and County of San Francisco, for a six (6) month period, and making a determination of consistency with the priority policies of Planning Code Section 101.1.

(Certificate of Determination of Exemption/Exclusion from Environmental Review dated January 30, 2001.)

President Ammiano, seconded by Supervisor Leno, moved to excuse Supervisor Newsom from voting on this matter, at his request. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

The roll was then called on the pending resolution.

Resolution No. 111-01

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Leno, Peskin, Sandoval, Yee

Noes: 1 - Hall

Excused: 1 - Newsom

**010063 [Zoning, Live/Work Interim Order]
Supervisors Ammiano, Daly, Maxwell, McGoldrick**

Resolution imposing an order prohibiting action on applications for permits or other land use entitlements to construct new live/work developments, as defined in San Francisco Planning Code Section 102.13, in the City and County of San Francisco, while the Board of Supervisors considers adoption of interim zoning controls governing such live/work development; and making a finding of consistency with the priority policies of Planning Code Section 101.1.

President Ammiano, seconded by Supervisor Leno, moved to excuse Supervisor Newsom from voting on this matter, at his request. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Supervisor Peskin, seconded by Supervisor Daly, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval, Yee

Excused: 1 - Newsom

ROLL CALL FOR INTRODUCTIONS

Appointment of President Pro Tempore

At the request of the President, Supervisor Daly assumed the Chair.

PUBLIC COMMENT

Ernestine Weiss, Ferry Park, traffic study;
Abdalla Megahed, gift for family of Xiana Fairchild;
Eula Walters, Sunshine rule, opposes appointments of SPUR, San Francisco Beautiful to Recreation and Park;
James McCrag, Jr., Dr. Amos C. Brown, Walter Johnson, Nat Mason, Peter Graham Cohn, Mike Benardo,
Arnold Townsend, Mary Helen Rogers, Carmen Johnson, James Ryan, supporters of Mr. Leroy King;
Norman Rolf, Dan Krause, Richard Mlynarik, Santa Clara Bart funds, Transbay Terminal Joint Powers Agency;
Eric Mills, opposes live animal markets, urges funding for Animal Control and Welfare for enforcement purposes;
Frederick Hobson, Vincent Hubbard incident, needs for community policing;
Tracy Aubuchon, public safety;
Nicholas Rosenberg, Adopt a Block program, property owner accountability;
Abel, supports creation of municipal utility district, power emergency;
Margaret Okuczimi, David Llewellyn, Maria, Matt Williams, support Transbay Terminal Joint Powers Agency;
Frankie Jacobs Gillette, African American History Month, accomplishments of African Americans working for the City;
Roberto Mendez, Vincent Hubbard, support Leroy King;
Tom Radavich, supports BART extension, Transbay Terminal project;
Ross Merkirimi, supports creation of municipal utility district, urges extending goodwill to Brisbane, message to Sacramento representatives.

The President resumed the Chair.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

010244 [Legislative Analyst Request]
Supervisor Sandoval

Motion asking the Legislative Analyst to (1) conduct a survey of all City departments to determine their use of Geographic Information System (GIS); (2) determine whether the Board of Supervisors, City departments, and the public have access to or could have access to such GIS systems; and (3) research the possible linkage of all such systems.

APPROVED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval
Absent: 2 - Newsom, Yee

**010245 [Legislative Analyst Request]
Supervisor Sandoval**

Motion asking the Legislative Analyst to survey other cities, counties, and jurisdictions about legislation enacted regarding reasonable surcharge rates for wire transfer services, such as Western Union, and MoneyGram.

APPROVED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval
Absent: 2 - Newsom, Yee

**010246 [Legislative Analyst Request]
Supervisor Ammiano**

Motion asking the Legislative Analyst to prepare a report, in consultation with the Director of Consumer Assurance, on recommended safety standards for warehouse-style stores. The report should include review of the "CBS Evening News" and "Inside Edition" exposes of accidents at warehouse-style stores and recommendations from the American Society of Safety Engineers, the Occupational Health and Safety Administration (OSHA) and Cal-OSHA regarding storage, handling and forklift use in warehouse stores.

APPROVED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval
Absent: 2 - Newsom, Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

**010227 [State Legislation, AB 25]
Supervisors Leno, Maxwell, Ammiano, McGoldrick, Newsom, Daly**

Resolution urging the California Assembly to pass AB 25 the Equal Benefits Ordinance.

Supervisors Newsom, Daly requested to be added as co-sponsors.

Resolution No. 121-01

ADOPTED

**010228 [Santa Clara County BART Buy In]
Supervisors McGoldrick, Gonzalez, Daly, Peskin, Leno, Maxwell, Newsom**

Resolution declaring City policy that San Francisco should share in any "Buy In" funds made available by Santa Clara County as part of its agreements with the Bay Area Rapid Transit District to extend BART to San Jose, that such moneys should be used to help fund San Francisco's voter-approved rail extension projects, urging further progress on the Geary Corridor fixed guideway project, and establishing principles for agreement regarding the San Jose extension and other BART extensions.

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 122-01

ADOPTED

010229 [St. Mary's Medical Center Psychiatric Programs]
Supervisors Ammiano, Gonzalez, Maxwell, Daly

Resolution urging Catholic Healthcare West and the administration of St. Mary's Medical Center to take all steps necessary to maintain the Adult Psychiatric Partial Hospitalization and AfterCare Intensive Outpatient programs and urging the Director of Public Health to investigate whether such closures are subject to hearings of the San Francisco Health Commission pursuant to Proposition Q.

Supervisor Daly requested to be added as co-sponsor.

Resolution No. 123-01

ADOPTED

010230 [State administered long-term energy contracts]
Supervisors Ammiano, Peskin, Daly

Resolution urging San Francisco's State Assembly, State Senate Delegations and City Lobbyist to oppose the State of California entering into any long-term state energy contracts that would in any way preclude, restrict, or inhibit San Francisco from developing its own power generation capabilities and selling that power to San Francisco residents and businesses.

Supervisors Peskin, Daly requested to be added as co-sponsors.

Resolution No. 124-01

ADOPTED

010247 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Supervisor McGoldrick requested to be added as co-sponsor.

Motion No. M01-15

APPROVED

010251 [Final Map for a 17 Unit Mixed Use Condominium Project]

Motion approving final map of 1601 Pacific Avenue, a Mixed-Use Condominium Project, being a subdivision of Lot 1, Assessor's Block No. 595, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,774.)

Motion No. M01-16

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval

Absent: 2 - Newsom, Yee

Severed From For Adoption Without Committee Reference Agenda

**010231 [Transbay Terminal Joint Exercise of Powers Agency]
Mayor, Supervisor Ammiano**

Resolution authorizing the City and County of San Francisco to form a joint powers agency for the purpose of developing, designing, constructing and operating a new intermodal transit facility on and adjacent to the site of the existing Transbay Terminal, approving a form of the agreement creating the joint exercise of powers agency, urging the Bay Area Toll Authority to allocate funds to the development project, and urging the State Legislature to appropriate funds and transfer real property to support development of the new transit facility.

Supervisor Ammiano requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Ammiano presented an amendment of the whole, bearing same title.

President Ammiano, seconded by Supervisor Leno, moved that this Resolution be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval
Absent: 2 - Newsom, Yee

Supervisors Leno, Peskin requested to be added as co-sponsors.

The roll was then called on the pending resolution.

Resolution No. 104-01

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval
Absent: 2 - Newsom, Yee

**010232 [Ellis Act Revisions]
Supervisors Daly, Ammiano, Gonzalez, McGoldrick**

Resolution urging members of the State Legislature to introduce amendments to the Ellis Act to prevent evictions.

Supervisor Hall requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Hall requested this matter be sent to committee.

REFERRED to the Housing, Transportation and Land Use Committee.

**010248 [Proclamation]
Supervisor Hall**

Resolution proclaiming February 23, 2001 as Niamh Ryan Day in the City and County of San Francisco.

Supervisor Hall requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Hall presented an amendment of the whole, bearing same title (technical amendment).

Supervisor Hall, seconded by Supervisor Leno, moved that this Resolution be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval
Absent: 2 - Newsom, Yee

Supervisor Newsom requested to be added as co-sponsor.

The roll was then called on the pending resolution.

Resolution No. 125-01

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval

Absent: 2 - Newsom, Yee

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**010226 [Tenancies In Common]
Supervisor Daly**

Ordinance amending the San Francisco Subdivision Code by amending Sections 1302, 1308, 1388, and 1396, and by adding Section 1316, to prohibit tenancies-in-common where an exclusive right of occupancy exists but is not specified in the deed, to amend the annual condominium conversion requirements pertaining to tenants and owner occupants, to amend the definition of tenant, to exempt certain tenancies-in-common from the annual limit on condominium conversions, to create a special lottery process for purchasing tenants; and to amend other definitions to implement these measures.

2/5/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 3/7/2001.

2/12/01, SUBSTITUTED. Supervisor Daly submitted an amendment of the whole, technical change to the title.

2/12/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 3/7/2001.

**010269 [Nuisance Code Revision]
Supervisor Newsom**

Ordinance amending Sections 37, 92, 283, 585, 596, 598, 599, 600, 605, 607, 608, and 1604; adding Sections 580, 581, 582, 614, 615, and 616; and deleting Sections 93 to 97.6, inclusive and 606 of the San Francisco Health Code consolidating various provisions that set forth conditions that constitute a public nuisance and to declare the presence of mold and mildew and lead hazards as public nuisances; clarifying the requirements regarding the maintenance of small animals, poultry and game birds in residential districts; and establishing an administrative enforcement process for the abatement of nuisances; and increasing the minimum criminal penalties from \$25 to \$100 and the maximum criminal penalties from \$250 to \$1000 for non-compliance with a Director's Order.

2/12/01, ASSIGNED UNDER 30 DAY RULE to Public Health and Environment Committee, expires on 3/14/2001.

- 010270** [Appropriation, funding for earthquake relief to India]
Mayor, Supervisors Peskin, Newsom

Ordinance appropriating \$100,000 from the General Fund Reserve for the Indo-American Trade and Commerce Council's Gujarat Earthquake Relief Fund for fiscal year 2000-01.
2/12/01, RECEIVED AND ASSIGNED to Finance Committee.

- 010271** [Conditional Use Appeal Procedure]
Supervisor Peskin

Ordinance amending Article 3 of the Planning Code by amending Section 308.1 to authorize four members of the Board of Supervisors to subscribe to a Conditional Use Appeal as an alternative to obtaining 20% of the property owners within 300 feet of the subject property. Providing for the new procedure to be applicable to decisions made by the Planning Commission on or after February 2, 2001.
2/12/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee. 02/13/01 - Transmitted to Planning Commission for public hearing and recommendation.

- 010272** [Appropriation, funding for earthquake relief to El Salvador]
Mayor, Supervisors Sandoval, Newsom

Ordinance appropriating \$100,000 from the General Fund Reserve for the Salvadorian Emergency Committee to provide earthquake relief for fiscal year 2000-01.
2/12/01, RECEIVED AND ASSIGNED to Finance Committee.

- 010273** [Appropriation, funding the increase of services of the Budget Analyst]
Supervisors Ammiano, Gonzalez

Ordinance appropriating \$218,208 of the General Reserve Fund to fund the increase of services provided by the Board of Supervisor's Budget Analyst for fiscal year 2000-01.
2/12/01, RECEIVED AND ASSIGNED to Finance Committee.

- 010274** [Business Tax Gross Receipts]
Supervisors Gonzalez, Peskin, Maxwell, Hall, Sandoval, Daly, McGoldrick

Ordinance amending the Business and Tax Regulations Code to (1) repeal Section 917.1 of Article 12-A and all of Article 12-B to eliminate the gross receipts method of calculating the tax on businesses; (2) enact a new Article 12 to amend business registration requirements consistent with the repeal of Article 12-B; and (3) enact a new Article 12-B to refund gross receipts-based tax payments for the 2000 tax year to the extent that such payments exceeded businesses' tax liability for such year as measured by their payroll expense.

(Fiscal impact.)

2/12/01, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 3/14/2001.

**010275 [Conditional Use for Dwelling Unit Mergers]
Supervisor Gonzalez**

Ordinance amending the Planning Code by adding Section 311.1 to require Conditional Use Approval for the Merger of Dwelling Units; adopting findings pursuant to Section 101.1.

(Certificate of Determination of Exemption/Exclusion from Environmental Review dated February 28, 2001.)
2/12/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 3/14/2001. 02/15/01 - Transmitted to Planning Commission for public hearing and recommendation.

**010276 [Appropriation, funding various streets and roads rehabilitation project]
Mayor, Supervisor Newsom**

Ordinance appropriating \$9,021,349 to fund various local streets and roads rehabilitation projects for the Department of Public Works for fiscal year 2000-01.

(Fiscal impact.)

2/12/01, RECEIVED AND ASSIGNED to Finance Committee.

Resolutions

**010277 [Solar Energy Bond]
Supervisors Leno, Maxwell, McGoldrick, Peskin, Gonzalez, Newsom, Sandoval, Ammiano, Hall**

Resolution urging the Controller, Mayor's Office of Public Finance, Department of the Environment, Public Utilities Commission and other applicable departments to assist in crafting a solar energy bond for consideration on the November 2001 ballot to provide funding for solar power technology to be used on San Francisco public buildings and land.

2/12/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee. Sponsor requests that this item be scheduled for the March 14, 2001, meeting.

**010278 [Valencia Bike Lane]
Supervisor Leno**

Resolution establishing permanent bicycle lanes on Valencia Street.

2/12/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010279 [KPFA Radio Station]
Supervisors Gonzalez, Daly, Peskin**

Resolution urging the Executive Committee of the Pacifica National Board to cease efforts which undermine KPFA's content and programming, democratically restructure the Pacifica Radio Network, and demand that Pacifica guarantee in writing that KPFA will not be sold without the overwhelming approval and consent of KPFA's subscribers, supporters and staff.

2/12/01, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

**010280 [State Emergency Housing Assistance Loan, Multi-Service Center North]
Mayor**

Resolution authorizing the Executive Director of the Department of Human Services to apply for, accept and expend a loan in a total amount not to exceed \$500,000 from the California Department of Housing and Community Development Emergency Housing Assistance Program for the rehabilitation of the facilities and expansion of capacity at the Multi-Service Center North which provides homeless shelter services.

2/12/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010281 [Transfer of PG&E Revenues]
Supervisors Leno, Maxwell, Peskin, McGoldrick**

Resolution urging the California Public Utilities Commission to clarify its order establishing PG&E Corp. as the holding corporation of PG&E to require that PG&E Corp. provide cash to PG&E to allow it to meet its obligations to provide reliable electricity service at reasonable rates and further urging the Federal Energy Regulation Commission to reverse its ruling to allow ring fencing of PG&E's NEG Group.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010282 [Renovate, repair and maintenance of HUD subsidized apartment complexes]
Supervisors Maxwell, Ammiano, Leno, Gonzalez, Newsom, Peskin, Daly, McGoldrick**

Resolution urging AIMCO to renovate, repair and maintain the Bayview Apartments, LaSalle Apartments, Shoreview Apartments, and All Hallows Gardens to the fullest extent possible.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010283 [Embarcadero Task Force]
Supervisors Peskin, Newsom**

Resolution urging representatives of the Department of Parking and Traffic, the Transportation Authority, the Municipal Transportation Authority, the Department of Public Works, the Port of San Francisco, the Municipal Railway, the Fire Department and the Police Department in consultation with members of the public to form a Task Force to monitor existing and planned transportation improvements in the area and to assess the impacts of planned projects on traffic, parking, public transportation, and additional forms of transportation such as bicycles and pedestrians in the Embarcadero area.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010284 [MIOCR Demonstration Program]
Supervisor Sandoval**

Resolution authorizing the Sheriff's Department to apply for a three-year grant in an amount not to exceed \$5,000,000 from the State Board of Corrections for Mentally Ill Offenders Crime Reduction (MIOCR) Demonstration Program; and approving the membership of the MIOCR Strategy Committee.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010285 [Child care initiative funding]
Supervisors Sandoval, Newsom, Daly

Resolution urging the Mayor to commit full funding for SF CARES and WAGES + in the baseline of the proposed budget for the 2001-2002 fiscal year.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010286 [State legislation, AB 106]
Supervisor Yee

Resolution supporting Assembly Bill 106, the Refundable Earned Income Tax Credit and urging the local delegation to the California State Assembly to support the bill.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010287 [363rd Infantry Regiment Battle Flags]
Supervisors Yee, Newsom, Daly, McGoldrick, Hall

Resolution urging the Mayor to work with the San Francisco Veterans Community to identify an appropriate place of prominence in City Hall for the 363rd Infantry Regiment Battle Flags, and place the flags in this location as soon as possible.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010288 [Potrero Power Plant Task Force Membership]
Supervisors Ammiano, Newsom

Resolution adding one (1) additional member to the Potrero Power Plant Citizen Advisory Task Force to represent Supervisorial District 10 and who shall be appointed by the Board of Supervisors.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010289 [School of the Americas]
Supervisors Ammiano, McGoldrick

Resolution urging President George Bush and Congress of the United States to support the closure of the United States Army School of the Americas.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010290 [Reduced risk pest management]
Supervisor Ammiano

Resolution endorsing the Reduced Risk Pest Management Ordinance proposed by Pesticide Alternatives of Santa Clara County.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010291 [Standard Code of Conduct]
Supervisors Ammiano, Leno, McGoldrick**

Resolution urging all City Commissions to adopt and/or enforce a standard code of conduct which discourages and reprimands City officials, City Department Directors and City Commissioners from utilizing regularly scheduled public meetings to willfully attack, defame and/or slander fellow colleagues with disrespectful comments that are disparaging of one's sexual orientation, race, ethnic background, religion, gender, age or physical ability and further urging all City Commissions to adopt and/or enforce policy which discourages and reprimands individuals, who during the public comment portion of regularly scheduled meetings, issue comments that are disparaging of anyone's sexual orientation, race ethnic background, religion, gender, age or physical ability; and further urging all City Commissions to proactively discourage, reprimand and remove individuals from public meetings who verbally abuse and physically threaten members of the general public or City officials from attempting to exercise their first amendment.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010293 [Labor issue]
Supervisors Daly, Peskin, Ammiano**

Resolution urging the Departments of Public Health and Human Services, and the Mayor's Office on Homelessness to protect workers at MSC-North and MSC-South.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010294 [Commendation]
Supervisors Leno, Daly, Maxwell, McGoldrick, Gonzalez, Sandoval, Ammiano**

Resolution commending the Health Services System Board for including transsexual care and treatment in San Francisco health plans.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010295 [Commendation]
Supervisors Leno, Daly, McGoldrick, Gonzalez, Sandoval, Ammiano**

Resolution commending Theresa Sparks for her appointment to the Human Rights Commission.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010296 [Commendation]
Supervisors Maxwell, Ammiano, Daly, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee**

Resolution commending the recognition of Black History Month.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 010297 [Commendation]
Supervisors Daly, Gonzalez, Peskin, McGoldrick

Resolution commending senior and tenant advocate Maurice Dopp.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 010298 [Independent Audits]
Supervisor Newsom

Hearing to consider the final management letters and comments for the City and County of San Francisco as issued by the City's independent auditors for the fiscal year ended June 30, 2000, in accordance with Charter Section 9.117.

2/12/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Sponsor requests this item be scheduled for consideration at the February 27, 2001 meeting.

Requests for Hearing

- 010025 [Appointments]
Supervisor Ammiano

Hearing to consider and appoint members of the general public who are interested in being appointed to the at-large positions on the Golden Gate Bridge, Highway and Transportation District.

1/2/01, RECEIVED AND ASSIGNED to Rules Committee.

2/12/01, ASSIGNED to Rules Committee.

2/12/01, SUBSTITUTED. Supervisor Ammiano submitted a substitute text.

- 010305 [Davis Street Opening]
Supervisor Peskin

Hearing to consider the proposed opening of Davis Street between Washington and Clay Streets to automobile traffic in order to assess the necessity of this project toward improving transportation options in the mid-Embarcadero area and to provide community members a venue to voice their opinions on this project.

2/12/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

- 010306 [MUNI Bus Noise]
Supervisor Yee

Hearing to consider the excessive noise created by diesel MUNI buses recently purchased, MUNI's plan of action to reduce the noise, why the design was altered after the specifications were approved, MUNI's plan to purchase additional busses from the same vendor, and corrective measures MUNI will take to prevent similar problems in the future.

2/12/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

010307 [Wireless Communications Facilities]
Supervisor Ammiano

Hearing to inquire into the feasibility of temporarily delaying the approval and processing of any new requests for the installation and expansion of all wireless communications facilities until a comprehensive policy regulating wireless communications facilities is drafted.

2/12/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

010308 [Biotech Industry]
Supervisor Daly

Hearing to study the biotech industry and ethical and economic impacts of biotech development in San Francisco.

2/12/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

010292 [Independent Audits]
Supervisor Newsom

Hearing to consider the Comprehensive Annual Financial Report for the City and County of San Francisco as issued by the City's independent auditors for the fiscal year ended June 30, 2000, in accordance with Charter Section 9.117.

2/12/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Sponsor requests this item be scheduled for consideration at the February 27, 2001 meeting.

010300 [Use of School District Facilities]
Supervisor Ammiano

Hearing to consider the use of School District facilities for District Offices of members of the Board of Supervisors.

2/12/01, RECEIVED AND ASSIGNED to City and School District Committee.

010301 [CALTRANS Land Parcels]
Hearing to consider the disposition of former CALTRANS land parcels. (San Francisco Unified School District)
2/12/01, RECEIVED AND ASSIGNED to City and School District Committee. Submitted by Commissioner Jill Wynns.

010302 [Sustainable Funding for the School Arts and Music Task Force]
Hearing to report on the Sustainable Funding for the School Arts and Music Task Force. (San Francisco Unified School District)
2/12/01, RECEIVED AND ASSIGNED to City and School District Committee. Submitted by Commissioner Jill Wynns.

010303 [School Health Clinics]
Hearing to report on School Health Clinics. (San Francisco Unified School District)
2/12/01, RECEIVED AND ASSIGNED to City and School District Committee. Submitted by Commissioner Jill Wynns.

010304 [City and School District Committee Meeting Schedule]

Hearing to consider the schedule of City and School District Committee Meetings. (San Francisco Unified School District)

2/12/01, RECEIVED AND ASSIGNED to City and School District Committee. Submitted by Commissioner Jill Wynns.

Motions**010299 [Board Off-site Meeting]**

Supervisors Ammiano, Maxwell

Motion ordering the City and School District Committee meeting of the Board of Supervisors to be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on March 14, 2001, at 3:00 P.M. and directing the Clerk of the Board to prepare notices and postings.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING to Board of Supervisors. Scheduled for consideration on February 20, 2001.

010309 [Legislative Analyst Request]

Supervisor Ammiano

Motion asking the Legislative Analyst to provide staff support for the Potrero Plant Citizens Advisory Task Force by providing policy analyses research.

2/12/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration February 20, 2001.

010310 [Municipality Utility District Formation]

Supervisor Gonzalez

Motion declaring that in the Board's opinion the public interest or necessity demands the creation and maintenance of a municipal utility district with the same exterior boundaries as the City and County of San Francisco and the City of Brisbane, to be known as the "San Francisco-Brisbane Municipal Utility District," and directing the Clerk to refer this request to the San Francisco Local Agency Formation Commission with certain information.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments**PROPOSED ORDINANCES****010220 [Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Donald Herbert Holcomb against the City and County of San Francisco for \$1,125,000.00; the lawsuit was filed on September 19, 1999 in San Francisco, Case No. 309395; entitled Donald Herbert Holcomb, et al., v. City and County of San Francisco, et al. (City Attorney)

2/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Confidential letter dated January 17, 2001 is on file with the Clerk of the Board.

010249 [Government Funding, Department of Elections]

Ordinance appropriating \$2,538,692 from the General Fund Reserve to fund salaries, fringe benefits, other current expenses, materials and supplies, and equipment for the Department of Elections for fiscal year 2000-2001. (Controller)

(Fiscal impact.)

2/7/01, RECEIVED AND ASSIGNED to Finance Committee.

010250 [Building Code amendment, exiting from Group R occupancy buildings]

Ordinance amending Section 1004.2.3.2 of the San Francisco Building Code by repealing Exception 7 dealing with exiting from Group R occupancy buildings. (Building Inspection Department)

2/7/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

PROPOSED RESOLUTIONS

010221 [Establishing monthly contributions to Health Service System by the City and County, Unified School District, and Community College]

Resolution establishing monthly contribution amount to Health Service Trust Fund. (Human Resources Department)

2/2/01, RECEIVED AND ASSIGNED to Finance Committee.

010223 [Transfer of state funds to improve access to mental health treatment for children in foster care and other children placed outside of San Francisco]

Resolution endorsing the transfer of state general funds from the state to the California Mental Health Directors Association for a contract to provide services to foster care and other Medi-Cal eligible children placed outside of San Francisco. (Public Health Department)

2/2/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

010258 [Grant funds for Juvenile Probation's Repeat Offender Prevention Program]

Resolution authorizing the Chief Probation Officer for the Juvenile Probation Department to accept and expend a supplemental grant in the amount of Four Hundred Eighty-Three Thousand Seven Hundred Fifty Two Dollars (\$483,752), from the State of California Board of Corrections for the Repeat Offender Prevention Program. (Juvenile Probation Department)

2/7/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

010259 [Contract with California Youth Authority for Diagnostic and Treatment Services for Juvenile Wards of the Court]

Resolution authorizing the Chief Probation Officer of the Juvenile Probation Department to renew a contract with the California Youth Authority for diagnostic and treatment services and for temporary detention not to exceed 90 days. (Juvenile Probation Department)

2/7/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

010260 [Contract with California Youth Authority for Emergency Services for Juvenile Wards of the Court]

Resolution authorizing the Chief Probation Officer of the Juvenile Probation Department to renew a contract with the California Youth Authority for emergency custody of juvenile wards of the Court from the County of San Francisco. (Juvenile Probation Department)

2/7/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

Requests Granted

From: Supervisors Leno, Maxwell, McGoldrick, Peskin

To: City Attorney

Requesting/Inquiring: To draft legislation creating a solar power revenue bond for November 2001 election to provide funding for solar power technology to be used on San Francisco public buildings and land.

From: Supervisor Maxwell

To: Director, Department of the Environment

Requesting/Inquiring: To investigate and report on the implementation of the "Sustainability Plan for San Francisco".

The report should include the following specific information:

- 1. Is there an implementation schedule with prioritized projects, a timeline, and specific responsibilities?*
- 2. What immediate steps can be taken to implement the plan, particularly the Action Steps related to Energy, Climate Change, and Ozone Depletion?*
- 3. Which elements of the plan can be achieved through legislation of the Board of Supervisors?*
- 4. What elements of the plan require increased funding through the City's annual budget process?*

Due: February 21, 2001

From: Supervisors Maxwell, Ammiano, Leno, Gonzalez, Newsom

To: City Attorney

Requesting/Inquiring: To draft an opinion regarding the Apartment and Investment Management Companies (AIMCO) legal requirements to renovate, repair, and maintain Bayview Apartments, LaSalle Apartments, Shoreview Apartments, and All Hallows Gardens. The opinion should include:

- 1. To what extent is the Apartment and Investment Management Company, owners of the Bayview Apartments, LaSalle Apartments, Shoreview Apartments, and All Hallows Gardens, legally required to renovate, repair, and maintain these HUD subsidized properties? In particular, please explain legal requirements in regards to the mold, mildew, and plumbing problems reported on the above mentioned properties.*
- 2. If necessary, how can the City of San Francisco change our laws to require that AIMCO is legally required to renovate, repair, and maintain the Bayview Apartments, LaSalle Apartments, Shoreview Apartments, and All Hallows Gardens to the fullest extent possible?*
- 3. What legal recourse does the City of San Francisco have if AIMCO is not in compliance with already existing laws that require the company to renovate, repair, and maintain Bayview Apartments, LaSalle Apartments, Shoreview Apartments, and All Hallows Gardens to the fullest extent possible?*

From: Supervisor McGoldrick

To: City Attorney

Requesting/Inquiring: To draft legislation regarding "Truth in Political Advertising" providing for two things:

- 1. That any political campaign communications to voters include a disclaimer identifying the true source of funds used to pay for them. These requirements should be based on the requirements currently applying to paid ballot arguments that appear for or against ballot initiatives in the Voters' Handbook. See Section 560, paid arguments; fees; disclosure of true source of funds, San Francisco Election Code.*
- 2. Prohibit knowingly making false statements of fact about candidates or ballot initiatives, in the same way as current law prohibits making false statements that a person has endorsed a candidate or initiative. See Section 1.400 et seq. San Francisco Elections Code.*

From: Supervisor Newsom

To: City Attorney

Requesting/Inquiring: To draft legislation creating a Municipal Power Board, as enabled by the City's Charter. This authority would be authorized to investigate public power, to provide that power if determined to be the most cost-effective way to deliver power to the citizens of San Francisco, and to issue revenue bonds for funding of such an endeavor. Also investigate the option of having an elected component to this Board and include that option in the draft version.

From: Supervisor Newsom

To: Director, Mayor's Budget Office

Requesting/Inquiring: Inquiring as to when the "Bicycle Planner I" position will be filled. Clerk to send copies of letter to Department of Human Resources, Controller, Department of Parking and Traffic, and the San Francisco Bicycle Coalition.

From: Supervisor Newsom

To: Controller

Requesting/Inquiring: To report on the feasibility of monthly reports on "non-budgeted" overtime from city departments that are routinely over budget on overtime. Further inquiring whether the Controller's Office intends to take such action or other action to curb overtime abuses.

From: Supervisor Sandoval

To: City Attorney

Requesting/Inquiring: To outline in detail the steps necessary to declare March 31st, Cesar Chavez' birthday, a paid city holiday.

From: Supervisor Ammiano

To: Director, Department of Telecommunications and Information Services

To: Director, Department of Public Health

To: Director, Planning Department

To: Director, Department of Building Inspection

Requesting/Inquiring: To notify the Directors of the following departments: Telecommunications and Information Services, Public Health, Planning, Building Inspection that committee hearing has been called to inquire into the feasibility of temporarily delaying the approval and processing of any new requests for the installation and expansion of all Wireless Communications Facilities until a comprehensive policy regulating Wireless Communications Facilities is drafted, hearing to be scheduled in the near future.

The hearing will inquire into the following subject areas:

- 1. The feasibility of temporarily delaying the approval and processing of any new requests for the installation and expansion of all Wireless Communications Facilities until a comprehensive policy regulating Wireless Communications Facilities is drafted.*
- 2. Current medical and scientific studies regarding the health impact of humans, animals, and the environment of the long-term exposure to low-frequency Radio Frequency Radiation (RFR):*
 - a) RFR's non-thermal and athermal effects on cellular and intracellular activity, especially its potential to disrupt DNA, RNA and normal cell replication and repair activities*
 - b) RFR's potential role as a carcinogenic enhancer*
 - c) RFR's linkage to increase incidences of childhood leukemia*
 - d) Ways to minimize RFR's adverse health impact on residents, especially children, seniors, pregnant women, those afflicted with chronic illnesses and other vulnerable populations*
- 3. Garner input from the public, industry, and Department directors to develop a comprehensive plan and guidelines for the regulation, monitoring, registration, inventory, and siting of all Wireless Communications Facilities.*
- 4. Other related issues.*

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft legislation whereby records of "no-fault evictions" will be sealed to prevent negative credit impacts. "No-fault evictions" refer to evictions as a result of the Ellis Act or Tenancies-In-Common, and other evictions where no just cause is provided.

From: Supervisor Daly

To: Director, Port

Requesting/Inquiring: To investigate and report on plans for development on Piers 48/50, specifically proposals to develop a sports arena. Further, requesting copies of correspondence between the Port and potential developers, and minutes of meetings in the last 18 months where this development was discussed.

From: Supervisor Gonzalez

To: City Attorney

Requesting/Inquiring: To draft legislation to redefine retail zoning space, as set forth in Article 7 of the Planning Code and all other applicable sections of the Planning Code, to disallow the use of zoned retail space by business entities that do not provide a service or sale of goods which requires a physical exchange of a service or product.

From: Supervisor Hall

To: City Attorney

Requesting/Inquiring: To draft legislation to amend the Campaign and Governmental Conduct Code to limit campaign contributions to candidates for ward directors in the same way that campaign contributions to candidates for the Board of Supervisors are limited.

From: Supervisor Hall

To: City Attorney

Requesting/Inquiring: To draft legislation to amend the Campaign and Governmental Conduct Code that would prohibit all utility companies from contributing to candidates for municipal utilities ward director positions.

From: Supervisor Hall

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To report on the feasibility of placing a stop sign at the intersection of Ocean and Santa Ana Avenues.

From: Supervisor Hall

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To report on the feasibility of placing a stop sign at the intersection of Teresita Boulevard and Stillings Avenue.

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Bishop Mark Hurley (Supervisor Hall)

Betty R. Brown (Supervisor Ammiano)

George Andrew Carreras II (Supervisor Leno)

Jack Voelker (Supervisors Maxwell, Newsom)

Dr. John Williams Eberhardt (Supervisor Sandoval)

Ronald A. Quinn (Supervisor Yee)

James Stagg (Supervisor Gonzalez)

ADJOURNMENT

There being no further business, the Board at the hour of 6:54 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 26, 2001.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board



BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

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MEETING MINUTES

Tuesday, February 20, 2001 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

TOM AMMIANO, PRESIDENT

**CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE MCGOLDRICK, GAVIN NEWSOM
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE**

Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Audit, Labor and Government Efficiency Committee

Supervisors Newsom, Daly, McGoldrick

City and School District Committee

Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynn, Commissioner Mar

Economic Vitality, Small Business and Social Policy Committee

Supervisors Sandoval, Newsom, Maxwell

Finance Committee

Supervisors Leno, Peskin, Gonzalez

Housing, Transportation and Land Use Committee

Supervisors McGoldrick, Daly, Peskin

Neighborhood Services and Parks Committee

Supervisors Yee, Hall, Sandoval

Public Health and Environment Committee

Supervisors Maxwell, Yee, Leno

Public Utilities and Deregulation Committee

Supervisors Daly, Gonzalez, Ammiano

Rules Committee

Supervisors Gonzalez, Hall, Ammiano

Meeting Days

2nd & 4th Tuesday
1:00 PM

Call of the Chair

1st & 3rd Tuesday
10:00 AM

Wednesday
10:00 AM

2nd & 4th Thursday
1:00 PM

1st & 3rd Tuesday
1:00 PM

2nd & 4th Tuesday
10:00 AM

Call of the Chair

1st & 3rd Thursday
1:00 PM

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Sophie Maxwell, Jake McGoldrick, Mark Leno, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Gonzalez, McGoldrick, Sandoval, Yee - 4.

Quorum present.

Supervisor Gonzalez was noted present at 2:01 p.m.

Supervisor McGoldrick was noted present at 2:01 p.m.

Supervisor Sandoval was noted present at 2:02 p.m.

Supervisor Yee was noted present at 2:02 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Leno, seconded by Supervisor Peskin, moved to APPROVE the January 2, and January 8, 2001 Meeting Minutes. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Hall, Maxwell, Leno, Newsom, Peskin

Absent: 4 - Gonzalez, McGoldrick, Sandoval, Yee

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued or considered differently.

Supervisor Gonzalez indicated the matters relating to Contingent Fee Agreement in Electric Power Litigation and Lead Litigation Contingency Fee Agreement, Files 010201 and 010202. (See infra.)

Supervisor Peskin indicated the matter relating to Senate Bill 71, which expands Workers Compensation benefits for California employees, File 010317. (See infra.)

CONSENT AGENDA

Recommendations of the Audit, Labor and Government Efficiency Committee

010006 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Lesha Taylor and Melanie Vaughn against the City and County of San Francisco for \$100,000; the lawsuit was filed on March 24, 1999 in San Francisco Superior Court, Case No. 302210; entitled Taylor et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING

010028 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by David L. Birkholz, An Incompetent, et al. versus the City the County of San Francisco for \$50,000.00; the lawsuit was filed on 6/22/95 in Superior Court of San Francisco, Case No. 970-567; entitled David L. Birkholz, An Incompetent, et al. v. State of California, City and County of San Francisco, et al; material terms of said settlement are: in consideration of City making payment of \$50,000.00 to the plaintiff, the plaintiff agrees to dismiss the suit against the City and County of San Francisco and all the individually named City employee defendants. (City Attorney)

PASSED ON FIRST READING

010160 [Settlement of Litigation]

Ordinance authorizing settlement of the lawsuits filed by Golden Eagle Insurance Co. and Martha Johnson against the City and County of San Francisco for the total amount of \$150,000; the lawsuits were filed on August 17, 1998 and August 25, 1998 in San Francisco Superior Court, Case Nos. 997-242 and 997-465; entitled Golden Eagle Insurance Co. v. City and County of San Francisco, et al. and Martha Johnson v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING

Recommendations of the Finance Committee

002146 [Grant to develop a green building tool kit and support green building practices through training workshops]

Supervisors Leno, Newsom

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$72,450 from the California Integrated Waste Management Board. (Environment)

Resolution No. 127-01

ADOPTED

010110 [Lease of City-owned property at 850 Bryant Street]

Resolution authorizing and approving lease of City-owned property located on the first floor of the Hall of Justice, 850 Bryant Street, to the Northern California Service League. (Real Estate Department)

Resolution No. 135-01

ADOPTED

010111 [Lease of City-owned property at 400 McAllister Street]

Resolution authorizing and approving lease of City-owned property located on the first floor of the Civic Center Courthouse, 400 McAllister Street, to the Northern California Service League. (Real Estate Department)

Resolution No. 136-01

ADOPTED

Recommendations of the Housing, Transportation and Land Use Committee**010003 [Regional Transportation Improvement Program (RTIP) grant funds for various transportation capital projects]**

Supervisor Newsom

Resolution authorizing the Director of the Department of Public Works to accept and expend a grant in the amount of \$7,630,000 in Regional Transportation Improvement Program funds for various transportation capital projects. (Public Works Department)

Resolution No. 132-01

ADOPTED

010029 [Grant funds from Bay Area Air Quality Management District for bicycle racks]

Supervisors Leno, Newsom

Resolution retroactively authorizing the Executive Director of the Department of Parking and Traffic or his designee to accept and expend \$97,600 from the Transportation Fund for Clean Air in the Bay Area to install bicycle racks in various locations and waiving indirect costs. (Parking and Traffic Department)

Resolution No. 133-01

ADOPTED

Recommendation of the Public Health and Environment Committee**010049 [Grant funds from the Bay Area Air Quality Management District for the purpose of supporting efforts to improve air quality]**

Resolution authorizing the City Administrator and the Director of the Department of the Environment to accept and expend \$900,000 from the Bay Area Air Quality Management District's Transportation Fund for Clean Air and authorizing the City Administrator and the Director of the Department of the Environment to execute agreements with the Bay Area Air Quality Management District, whereby, the City would indemnify the District from claims resulting from the City's performance of said agreements. (City Administrator)

Resolution No. 134-01

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Finance Committee

- 000276 [Planning Code amendment to rename "Office Affordable Housing Production Program" as the "Jobs-Housing Linkage Program" and to apply the program to hotel, entertainment, and retail space according to square footage]
Supervisors Ammiano, Bierman, Peskin, Daly, Leno

Ordinance amending Article III, Chapter II, Part II of the San Francisco Municipal Code (Planning Code) by amending Sections 313, 313.1, 313.2, 313.3, 313.4, 313.5, 313.6, 313.7, 313.8, 313.9, 313.10, 313.11, 313.12, 313.13, and 313.14, to rename the "Office Affordable Housing Production Program" as the "Jobs-Housing Linkage Program," to apply the program to all new and expanded hotel space of at least 25,000 square feet, to all new and expanded entertainment space of at least 25,000 square feet, to all new and expanded retail space of at least 25,000 square feet, and to all new and expanded research and development space of at least 25,000 square feet; to set forth the number of housing units to be constructed for each type of development subject to this Ordinance; to increase the number of housing units and fees for office developments; and by adding Section 313.15 to require a study every five years determining the demand for housing created by commercial development.

February 12, 2001 - Supervisor Newsom was excused from voting by previous action of the Board.

Supervisor Leno requested to be added as co-sponsor.

Ordinance No. 28-01

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval, Yee
Excused: 1 - Newsom

Recommendation of the Housing, Transportation and Land Use Committee

- 010060 [Rent passthrough]
Supervisors Gonzalez, Peskin, Daly

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by adding a new Section 37.8C "Temporary Moratorium on Rent Board processing or approval of landlord petitions for certification and passthrough of non-seismic capital improvement, rehabilitation and energy conservation costs to tenants, during pendency of the Superior Court's preliminary injunction staying implementation of November 2000 Proposition H."

Upon further review, the Deputy City Attorney indicated Supervisors Newsom and Maxwell can now vote on this matter.

Ordinance No. 29-01

FINALLY PASSED by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Leno, Peskin, Sandoval
Noes: 3 - Hall, Newsom, Yee

Recommendation of the Rules Committee

002151 [Appointment]

Resolution appointing Mark Heinzelman, Russell Keil, and Stephen Brett to the Union Square Business Improvement District Advisory Board, terms ending June 30, 2004; waiving residency requirement.

Mark Heinzelman, Seat 3, succeeding Jordan Meisner, must be property owner within the business improvement district, for unexpired portion of a five-year term ending June 30, 2004;
Russell Keil (residency requirement waived), Seat 5, succeeding James Flood, must be property owner within the business improvement district, for unexpired portion of a five-year term ending June 30, 2004;
Stephen Brett (residency requirement waived), Seat 6, succeeding Ann Paolini, must be property owner within the business improvement district, for unexpired portion of a five-year term ending June 30, 2004.

Resolution No. 128-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

NEW BUSINESS

Recommendations of the Audit, Labor and Government Efficiency Committee

010107 [Memorandum of Understanding, Local 790 Fire Rescue Paramedics]

Ordinance adopting and implementing the terms of a Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Local 790, and the City and County of San Francisco for the H-1 Fire Rescue Paramedics to be effective for the period July 1, 1999 through June 30, 2001. (Human Resources Department)

(Fiscal impact.)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

002190 [Reimbursement to Employees - Fourth Quarter, 2000]

Resolution authorizing reimbursement for cost of personal property of City and County employees damaged/stolen in the line of duty.

Resolution No. 129-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

010201 [Contingency Fee Agreement in Electric Power Litigation]

Resolution approving contingency fee agreement in People of the State of California by and through San Francisco City Attorney Louise H. Renne v. Dynegy Power Marketing, Inc., et al.; requiring reports from the City Attorney. (City Attorney)

Supervisor Gonzalez requested this matter be continued to March 5, 2001.

Supervisor Gonzalez, seconded by Supervisor Sandoval, moved that this Resolution be **CONTINUED**. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

010202 [Lead Litigation Contingency Fee Agreement]

Resolution approving contingency fee agreement in County of Santa Clara, et al. v. Atlantic Richfield Company, et al.; requiring report from the City Attorney. (City Attorney)

Supervisor Gonzalez requested this matter be continued to March 5, 2001.

Supervisor Gonzalez, seconded by Supervisor Sandoval, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Recommendation of the Housing, Transportation and Land Use Committee**010054 [Termination of existing sewer easement and acceptance of replacement sewer easement between Tandang Sora Street and 4th Street]**

Ordinance authorizing the termination of an existing sewer easement and the acceptance of the grant of a replacement sewer easement between Tandang Sora Street and 4th Street, and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Recommendations of the Public Health and Environment Committee**010001 [Contract funds to assist in a study of social movements and HIV/AIDS in Brazil]**

Resolution authorizing the Department of Public Health (Subgrantee) to enter retroactively into an agreement in the amount of \$16,431 with the Trustees of Columbia University (CU) for Charles H. Klein as Co-Principal Investigator and Subgrantee employee to assist in coordination, developing data collection instruments, maintaining data quality assurance, and coordinating data analysis for a study of social movements and HIV/AIDS in Brazil; retroactively to March 1, 2000. (Public Health Department)

Resolution No. 130-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

010002 [Contract funds from YMCA of San Francisco to provide health services to OMI/Excelsior Neighborhood Beacon Center participants]

Resolution authorizing the Department of Public Health, Balboa Teen Health Center (the "Contractor"), to enter retroactively into an independent contractor services agreement in the amount of \$19,302 with the OMI/Excelsior Neighborhood Beacon Center/Urban Services YMCA of San Francisco (the "Client") to provide health services to Beacon Center participants; retroactive to July 1, 2000. (Public Health Department)

Resolution No. 131-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Appointment of President Pro Tempore

At the request of the President, Supervisor Daly assumed the Chair so the President could participate in the debate from the floor concerning the following item.

COMMITTEE REPORTS

Recommendations of Rules Committee

010209 [Appointment to San Francisco LAFCO]

Motion appointing Supervisor Ammiano to the San Francisco Local Agency Formation Commission. (Clerk of the Board)

Supervisor Leno, seconded by Supervisor Yee, moved to excuse Supervisor Ammiano from voting on this matter. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Clerical correction to correct the government code citation, delete the phrase "in a county with only one city," and insert the Supervisor's first name.

Motion appointing Supervisor Tom Ammiano to the San Francisco Local Agency Formation Commission. (Clerk of the Board)

Motion No. M01-17

APPROVED by the following vote:

Ayes: 11 - Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Excused: 1 - Ammiano

010320 [Appointment to San Francisco LAFCO]

Motion appointing Supervisor Maxwell to the San Francisco Local Agency Formation Commission.

Supervisor Leno, seconded by Supervisor McGoldrick, moved to excuse Supervisor Maxwell from voting on this matter. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Clerical correction to correct the government code citation, delete the phrase "in a county with only one city," and insert the Supervisor's first name.

Motion appointing Supervisor Sophie Maxwell to the San Francisco Local Agency Formation Commission.

Motion No. M01-21

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Excused: 1 - Maxwell

010321 [Appointment to San Francisco LAFCO]

Motion appointing Supervisor Daly to the San Francisco Local Agency Formation Commission.

Supervisor Peskin, seconded by Supervisor Leno, moved to excuse Supervisor Daly from voting on this matter. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Clerical correction to correct the government code citation, delete the phrase "in a county with only one city," and insert the Supervisor's first name.

Motion appointing Supervisor Chris Daly to the San Francisco Local Agency Formation Commission.

Motion No. M01-22

APPROVED by the following vote:

Ayes: 10 - Ammiano, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee
Excused: 1 - Daly

010322 [Appointment to San Francisco LAFCO]

Motion appointing Supervisor McGoldrick to the San Francisco Local Agency Formation Commission.

Supervisor Leno, seconded by Supervisor Daly, moved to excuse Supervisor McGoldrick from voting on this matter.
The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Clerical correction to correct the government code citation, delete the phrase "in a county with only one city," and insert the Supervisor's first name.

Motion appointing Supervisor Jake McGoldrick to the San Francisco Local Agency Formation Commission.

Motion No. M01-23

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, Leno, Newsom, Peskin, Sandoval, Yee
Excused: 1 - McGoldrick

010323 [Appointment to San Francisco LAFCO]

Motion appointing Supervisor Gonzalez as an alternate member to the Local Agency Formation Commission.

Supervisor Leno, seconded by Supervisor Maxwell, moved to excuse Supervisor Gonzalez from voting on this matter. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Clerical correction to correct the government code citation, delete the phrase "in a county with only one city," and insert the Supervisor's first name.

Motion appointing Supervisor Matt Gonzalez as an alternate member to the Local Agency Formation Commission.

Motion No. M01-24

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee
Excused: 1 - Gonzalez

The President resumed the Chair.

PUBLIC COMMENT

Marie Harrison, environmental issues;
Eula Walters, oppose proposed list of organizations for selection to the Recreation and Park advisory board;
Ernestine Weiss, Ferry Park issues, parking garage, Butterfly Museum, reopening of Davis Street;
Connie Ford, supports homeless shelter workers;
Eric Mills, opposes live animal markets;
John, urge focus on housing and utilities crisis;
Rodney, separation of church and state, What would Jesus Do? oppose needle exchange program, liquor stores, transgender health benefits;
Abdalla Megahed, asthma issues;
Bruce, concerning the need for adult education and retraining.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

010309 [Legislative Analyst Request]
Supervisor Ammiano

Motion asking the Legislative Analyst to provide staff support for the Potrero Plant Citizens Advisory Task Force by providing policy analyses research.

APPROVED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

010282 [Renovate, repair and maintenance of HUD subsidized apartment complexes]
Supervisors Maxwell, Ammiano, Leno, Gonzalez, Newsom, Peskin, Daly, McGoldrick

Resolution urging AIMCO to renovate, repair and maintain the Bayview Apartments, LaSalle Apartments, Shoreview Apartments, and All Hallows Gardens to the fullest extent possible.

Supervisors Peskin, Daly, McGoldrick requested to be added as co-sponsors.

Resolution No. 138-01

ADOPTED

010283 [Embarcadero Task Force]
Supervisors Peskin, Newsom

Resolution urging representatives of the Department of Parking and Traffic, the Transportation Authority, the Municipal Transportation Authority, the Department of Public Works, the Port of San Francisco, the Municipal Railway, the Fire Department and the Police Department in consultation with members of the public to form a Task Force to monitor existing and planned transportation improvements in the area and to assess the impacts of planned projects on traffic, parking, public transportation, and additional forms of transportation such as bicycles and pedestrians in the Embarcadero area.

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 148-01

ADOPTED

010284 [MIOCR Demonstration Program]
Supervisor Sandoval

Resolution authorizing the Sheriff's Department to apply for a three-year grant in an amount not to exceed \$5,000,000 from the State Board of Corrections for Mentally Ill Offenders Crime Reduction (MIOCR) Demonstration Program; and approving the membership of the MIOCR Strategy Committee.

Resolution No. 126-01

ADOPTED

010286 [State legislation, AB 106]
Supervisor Yee

Resolution supporting Assembly Bill 106, the Refundable Earned Income Tax Credit and urging the local delegation to the California State Assembly to support the bill.

Resolution No. 147-01

ADOPTED

010287 [363rd Infantry Regiment Battle Flags]
Supervisors Yee, Newsom, Daly, McGoldrick, Hall

Resolution urging the Mayor to work with the San Francisco Veterans Community to identify an appropriate place of prominence in City Hall for the 363rd Infantry Regiment Battle Flags, and place the flags in this location as soon as possible.

Supervisors Newsom, Daly, McGoldrick, Hall requested to be added as co-sponsors.

Resolution No. 150-01

ADOPTED

010288 [Potrero Power Plant Task Force Membership]
Supervisors Ammiano, Newsom

Resolution adding one (1) additional member to the Potrero Power Plant Citizen Advisory Task Force to represent Supervisorial District 10 and who shall be appointed by the Board of Supervisors.

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 139-01

ADOPTED

010289 [School of the Americas]
Supervisors Ammiano, McGoldrick

Resolution urging President George Bush and Congress of the United States to support the closure of the United States Army School of the Americas.

Supervisor McGoldrick requested to be added as co-sponsor.

Resolution No. 140-01

ADOPTED

010290 [Reduced risk pest management]
Supervisor Ammiano

Resolution endorsing the Reduced Risk Pest Management Ordinance proposed by Pesticide Alternatives of Santa Clara County.

Resolution No. 141-01

ADOPTED

010293 [Labor issue]
Supervisors Daly, Peskin, Ammiano

Resolution urging the Departments of Public Health and Human Services, and the Mayor's Office on Homelessness to protect workers at MSC-North and MSC-South.

Supervisor Ammiano requested to be added as co-sponsor.

Resolution No. 152-01

ADOPTED

010295 [Commendation]
Supervisors Leno, Daly, McGoldrick, Gonzalez, Sandoval, Ammiano

Resolution commending Theresa Sparks for her appointment to the Human Rights Commission.

Resolution No. 142-01

ADOPTED

010296 [Commendation]
Supervisors Maxwell, Ammiano, Daly, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee

Resolution commending the recognition of Black History Month.

Resolution No. 143-01

ADOPTED

010297 [Commendation]
Supervisors Daly, Gonzalez, Peskin, McGoldrick

Resolution commending senior and tenant advocate Maurice Dopp.

Supervisors Peskin, McGoldrick requested to be added as co-sponsors.

Resolution No. 144-01

ADOPTED

010299 [Board Off-site Meeting]
Supervisors Ammiano, Maxwell

Motion ordering the City and School District Committee meeting of the Board of Supervisors to be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on March 14, 2001, at 3:00 P.M. and directing the Clerk of the Board to prepare notices and postings.

Motion No. M01-18

APPROVED

010313 [Final map for an 11 unit Mixed Use Condominium Project]

Motion approving final map of 826 Folsom Street, a Mixed-Use Condominium Project, being a subdivision of Lot 16, Assessor's Block No. 3733, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,790.)

Motion No. M01-20

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Absent: 1 - Maxwell

Severed From For Adoption Without Committee Reference Agenda**010281 [Transfer of PG&E Revenues]****Supervisors Leno, Maxwell, Peskin, McGoldrick**

Resolution urging the California Public Utilities Commission to clarify its order establishing PG&E Corp. as the holding corporation of PG&E to require that PG&E Corp. provide cash to PG&E to allow it to meet its obligations to provide reliable electricity service at reasonable rates and further urging the Federal Energy Regulation Commission to reverse its ruling to allow ring fencing of PG&E's NEG Group.

Supervisor McGoldrick requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor McGoldrick moved to amend page one, line 24, after "\$1.5" by inserting "billion".

Supervisor Peskin moved substitute motion to amend page one, line 24, after "\$1.5" by inserting "billion" and page two, line 18, by deleting the "[".

Supervisor McGoldrick, seconded by Supervisor Leno, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Maxwell

Supervisors Ammiano, Daly requested to be added as co-sponsors.

Resolution No. 137-01

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Maxwell

010285 [Child care initiative funding]**Supervisors Sandoval, Newsom, Daly**

Resolution urging the Mayor to commit full funding for SF CARES and WAGES + in the baseline of the proposed budget for the 2001-2002 fiscal year.

Supervisor Sandoval requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisors Newsom, Daly requested to be added as co-sponsors.

Resolution No. 149-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Maxwell

010291 [Standard Code of Conduct]
Supervisors Ammiano, Leno, McGoldrick

Resolution urging all City Commissions to adopt and/or enforce a standard code of conduct which discourages and reprimands City officials, City Department Directors and City Commissioners from utilizing regularly scheduled public meetings to willfully attack, defame and/or slander fellow colleagues with disrespectful comments that are disparaging of one's sexual orientation, race, ethnic background, religion, gender, age or physical ability and further urging all City Commissions to adopt and/or enforce policy which discourages and reprimands individuals, who during the public comment portion of regularly scheduled meetings, issue comments that are disparaging of anyone's sexual orientation, race ethnic background, religion, gender, age or physical ability; and further urging all City Commissions to proactively discourage, reprimand and remove individuals from public meetings who verbally abuse and physically threaten members of the general public or City officials from attempting to exercise their first amendment.

Supervisor Newsom requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Newsom moved to amend the title, lines 2, 8 and 13; page two, lines 17 and 19 and page three, lines 2 and 8, by inserting "and the Board of Supervisors".

Supervisor Newsom, seconded by President Ammiano, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Maxwell

Resolution urging all City Commissions and the Board of Supervisors to adopt and/or enforce a standard code of conduct which discourages and reprimands City officials, City Department Directors and City Commissioners from utilizing regularly scheduled public meetings to willfully attack, defame and/or slander fellow colleagues with disrespectful comments that are disparaging of one's sexual orientation, race, ethnic background, religion, gender, age or physical ability and further urging all City Commissions and the Board of Supervisors to adopt and/or enforce policy which discourages and reprimands individuals, who during the public comment portion of regularly scheduled meetings, issue comments that are disparaging of anyone's sexual orientation, race, ethnic background, religion, gender, age or physical ability; and further urging all City Commissions and the Board of Supervisors to proactively discourage, reprimand and remove individuals from public meetings who verbally abuse and physically threaten members of the general public or City officials from attempting to exercise their first amendment.

Supervisors Daly, Hall requested to be added as co-sponsors.

Resolution No. 151-01

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Maxwell

010294 [Commendation]
Supervisors Leno, Daly, Maxwell, McGoldrick, Gonzalez, Sandoval, Ammiano

Resolution commending the Health Services System Board for including transsexual care and treatment in San Francisco health plans.

Supervisor Leno requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Resolution No. 153-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Maxwell

010310 [Municipal Utility District Formation]
Supervisor Gonzalez

Motion declaring that in the Board's opinion the public interest or necessity demands the creation and maintenance of a municipal utility district with the same exterior boundaries as the City and County of San Francisco and the City of Brisbane, to be known as the "San Francisco-Brisbane Municipal Utility District," and directing the Clerk to refer this request to the San Francisco Local Agency Formation Commission with certain information.

Supervisor Ammiano requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Motion No. M01-19

APPROVED by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, McGoldrick, Leno, Peskin, Sandoval, Yee
Noes: 2 - Hall, Newsom
Absent: 1 - Maxwell

010317 [Workers Compensation benefits for California employees]
Supervisor Peskin

Resolution urging the California State Legislature pass, and Governor Davis sign, Senate Bill 71.

Supervisor Peskin requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Peskin requested this matter be continued to March 5, 2001.

Supervisor Peskin, seconded by Supervisor Daly, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Maxwell

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Newsom, seconded by Supervisor Yee, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Absent: 1 - Maxwell

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Newsom, seconded by Supervisor Yee, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Absent: 1 - Maxwell

Imperative Resolution

010325 [Commendation]

Supervisors Leno, Yee, Hall

Resolution commending the Lee Ong Dong Family Association.

Resolution No. 145-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Absent: 1 - Maxwell

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**010273 [Appropriation, funding the increase of services of the Budget Analyst]
Supervisors Ammiano, Gonzalez, Hall**

Ordinance appropriating \$218,208 of the General Reserve Fund to fund the increase of services provided by the Board of Supervisors' Budget Analyst for fiscal year 2000-01.

(Fiscal impact.)

2/12/01, RECEIVED AND ASSIGNED to Finance Committee.

2/20/01, SUBSTITUTED. Supervisor Ammiano submitted a substitute ordinance bearing same title.

2/20/01, ASSIGNED to Finance Committee.

**010315 [Appropriation, funding for the emergency physician services to indigent persons]
Supervisors Leno, Newsom**

Ordinance appropriating \$1,203,219 of Emergency Medical Services Appropriation (EMSA) funds to provide emergency physician services to indigent persons to the Department of Public Health for fiscal year 2000-01. (Public Health Department)

(Fiscal impact.)

2/14/01, RECEIVED AND ASSIGNED to Finance Committee.

2/20/01, SUBSTITUTED. Supervisor Leno submitted a substitute ordinance bearing same title. This substitute corrects a minor math error in the supplemental.

2/20/01, ASSIGNED to Finance Committee.

Resolutions

**010326 [Biodiesel Use]
Supervisor Newsom**

Resolution encouraging the San Francisco Airport to explore the use of biodiesel fuel in airport shuttle vehicles, to collect actual use data by establishing a pilot project of at least one month duration with at least five inter-Airport vehicles using biodiesel, and to look at longer term funding options for biodiesel use at the Airport.

2/20/01, RECEIVED AND ASSIGNED to Finance Committee.

**010327 [Overtime]
Supervisor Newsom**

Resolution adopting most of the grand jury recommendations regarding overtime within the City and County of San Francisco and asking that this legislation be forwarded to relevant departments.

2/20/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**010328 [List of organizations for membership in the Park, Recreation and Open Space Advisory Committee]
Supervisors Newsom, Peskin**

Resolution ratifying the list of recommended organizations for membership in the Park, Recreation, and Open Space Advisory Committee as required by Proposition C and approved by the Recreation and Park Commission.

2/20/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010329 [David Brower Center]
Supervisor Newsom**

Resolution supporting the concept of an environmental center housing activist organizations and providing services for the environmental community such as that envisioned by the David Brower Center project.

2/20/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010330 [News Helicopters]
Supervisors Ammiano, Peskin**

Resolution urging Bay Area news helicopters of KRON TV-4, KPIX TV-5 and KGO TV-7 to exercise courtesy and restraint when using helicopters to pursue stories over San Francisco neighborhoods, especially at night and in the early morning when residents are sleeping.

2/20/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010331 [Domestic Partners]
Supervisors Ammiano, Leno, Daly**

Resolution urging Governor Davis and the State Legislature to pass legislation allowing state-recognized domestic partners to pursue wrongful death lawsuits.

2/20/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010332 [Ferry operations]
Supervisors Gonzalez, Peskin, Leno**

Resolution urging the Golden Gate National Recreation Area in current and future requests for proposals and contracts for all ferry operations to require the use of environmentally friendly hybrid solar-electric, wind-powered ferries; encourage those ferry operators to phase out petroleum-derived-fuel-powered ferries by 2005, and give preference to ferry designs with low wake wash, shallow draft and quieter noise characteristics than conventional diesel to lessen impacts on marine mammals, aquatic life and shorelines.

2/20/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010333 [Citizen Advisory Committee to Port Commission]
Supervisors Hall, Newsom**

Resolution urging the San Francisco Port Commission to fairly consider and evaluate all proposals and recommendations developed by the various Citizen Advisory Committees as the Port Commission finalizes its decisions on the waterfront development.

2/20/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010334 [Commendation]
Supervisors Maxwell, Newsom, Leno, Daly

Resolution commending the San Francisco African American Tobacco Free Project (SFAATFP) and the forty African American religious institutions representing Bay Area churches, temples, and mosques (hereinafter referred to as the "Fabulous Forty"), for their endless effort to free their community from the deadly grasp of nicotine addiction, and their decision not to accept any funding from tobacco companies.

2/20/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010335 [Proclamation]
Supervisors Maxwell, Ammiano, Hall, McGoldrick, Newsom, Peskin

Resolution declaring March 1, 2001 as American Red Cross Day in San Francisco.

2/20/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010336 [Commendation]
Supervisors Newsom, Peskin

Resolution commending the launch of the Senior Surfers Suferlab in the Aquatic Park Senior Center.

2/20/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010337 [Commendation]
Supervisors Daly, Newsom, Peskin

Resolution commending Judge Lillian Sing for her pioneering work on behalf of Chinese Americans and in support of affirmative action, and extending best wishes.

2/20/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010338 [Proclamation]
Supervisors Gonzalez, Peskin, Daly

Resolution declaring July 25, 2001 as Commander Milton Wolff and Abraham Lincoln Brigade Day in the City and County of San Francisco.

2/20/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010339 [A Day of Love and Sorrow]
Supervisors Leno, McGoldrick, Maxwell, Newsom, Peskin, Daly

Resolution remembering the hundreds of individuals who died homeless in our community over the years and declaring March 11, 2001 "A day of love and sorrow, remembering the 138 men, women, and children who died homeless in San Francisco in 2000."

2/20/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing**010340 [Social Workers]
Supervisor Maxwell**

Hearing on the status of (1) social workers in SFUSD schools; (2) gifts of over \$500,000 from Diana Ming Chan, Clarence K. Chan and Harrison M. Leong to start a social workers program in San Francisco; and (3) how can the Board of Supervisors help to facilitate the process of getting social workers in SFUSD schools.
2/20/01, RECEIVED AND ASSIGNED to City and School District Committee. Sponsor requests this item be scheduled for consideration at the March 14, 2001 meeting.

**010341 [Student Access to City Resources]
Supervisor Maxwell**

Hearing to inquire into the coordination between City Departments and the School District regarding access to City resources.
2/20/01, RECEIVED AND ASSIGNED to City and School District Committee. Sponsor requests this item be scheduled for consideration at the March 14, 2001 meeting.

**010342 [Geary Street Corridor]
Supervisors McGoldrick, Gonzalez**

Hearing on the question of adequacy of pedestrian safety measures along Geary Street Corridor and how pedestrian safety might be improved there.
2/20/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010343 [Raker Act]
Supervisor McGoldrick**

Hearing on enforcement of the "Raker Act," and how enforcement of this act by the City of San Francisco would affect the ability of the City to provide power.
2/20/01, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

**010344 [Crooked Street Report]
Supervisor Newsom**

Hearing on the findings of the Crooked Street Task Force.
2/20/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010345 [Advertisement on City Property]
Supervisor Ammiano**

Hearing to inquire into the necessity and feasibility of responding to the appearance of potentially unbalanced or misleading direct-to-consumer (DTC) pharmaceutical drug company advertisements for HIV/AIDS on property leased by the City of San Francisco in order to limit their potentially negative impact upon a recognized public health crisis.
2/20/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010346 [Glen Park Recreation Facilities and Open Park Space]
Supervisor Leno**

Hearing to consider the cost and feasibility of an overall assessment of Glen Park recreation facilities and open park space.

2/20/01, RECEIVED AND ASSIGNED to Finance Committee.

**010347 [Instant Run Off Election]
Supervisors Leno, Gonzalez**

Hearing on the instant run off elections.

2/20/01, RECEIVED AND ASSIGNED to Rules Committee.

**010348 [Money Wire Transfer Service]
Supervisor Sandoval**

Hearing to consider all check-cashing businesses, banks, and international embassies to address establishing a fair rate structure for money wire transfer services.

2/20/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee. Sponsor requests this item be scheduled for consideration at the March 20, 2001 meeting.

Motion

**010349 [Legislative Analyst Request]
Supervisor Sandoval**

Motion asking the Legislative Analysts to provide general research and analysis on San Francisco policy regarding business tax relief for businesses that reduce their power usage in the interest of conserving electricity; and to provide comparative information on other cities' laws and policies regarding business tax relief for businesses that reduce their power usage.

2/20/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration February 26, 2001.

**010350 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

2/20/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

**010256 [Speed Limit on Chestnut between Hyde/Leavenworth Streets]
Supervisor Newsom**

Ordinance amending the San Francisco Traffic Code, establishing a 20-MPH speed limit on Chestnut Street, between Hyde and Leavenworth Streets. (Parking and Traffic Department)

2/8/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

Supervisor Newsom requested to be added as sponsor.

**010315 [Appropriation, funding for the emergency physician services to indigent persons]
Supervisors Leno, Newsom**

Ordinance appropriating \$1,203,319 of Emergency Medical Services Appropriation (EMSA) funds to provide emergency physician services to indigent persons to the Department of Public Health for fiscal year 2000-01. (Public Health Department)

2/14/01, RECEIVED AND ASSIGNED to Finance Committee.

2/20/01, SUBSTITUTED. Supervisor Leno submitted a substitute ordinance bearing same title. This substitute corrects a minor math error in the supplemental.

2/20/01, ASSIGNED to Finance Committee.

Supervisors Leno, Newsom requested to be added as co-sponsors.

PROPOSED RESOLUTIONS

010203 [Contracting out Facility Security Services]

Resolution concurring with the Controller's certification that facility security services for the Municipal Transportation Agency can be practically performed by a private contractor at a lower cost than by City and County employees. (Public Transportation Commission)

2/14/01, RECEIVED AND ASSIGNED to Finance Committee.

010204 [Lease of Property for the Visitacion Valley Branch Library]

Resolution authorizing the lease of real property at 45 Leland Avenue for the Library. (Real Estate Department)

2/12/01, RECEIVED AND ASSIGNED to Finance Committee.

010253 [Stop Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Duncan and Sanchez Streets, northwest and southeast corners, stopping Sanchez Street (makes this an all-way STOP)

Ingalls Street and Carroll Avenue, northeast and southwest corners, stopping Ingalls Street (makes this an all-way STOP)

Jennings Street and Egbert Avenue, northeast and southwest corners, stopping Jennings Street (makes this an all-way STOP)

Sunnydale and Garrison Avenues, northeast corner, stopping westbound Sunnydale Avenue (makes this T-intersection an all-way STOP) (Parking and Traffic Department)

(DPT Order No.2159.)

2/8/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

010255 [Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Folsom Street, both sides, from 6th Street to 30 feet westerly (30-foot zone, along 18-foot wide sidewalk bulb)

NO LEFT TURN - ESTABLISH

3rd Street, both directions, at Armstrong Avenue
3rd Street, both directions, at Bancroft Avenue
3rd Street, both directions, at Donner Avenue
3rd Street, both directions, at Egbert Avenue
3rd Street, both directions, at Fitzgerald Avenue
3rd Street, both directions, at Le Conte Avenue
3rd Street, both directions, at Underwood Avenue
3rd Street, both directions, at Wallace Avenue
3rd Street, northbound, at Key Avenue
3rd Street, northbound, at Salinas Avenue
3rd Street, northbound, at Yosemite Avenue
3rd Street, southbound, at Hollister Avenue
3rd Street, southbound, at Ingerson Avenue

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

3rd Street, both sides, between Bancroft and Carroll Avenues
3rd Street, both sides, between Carroll and Donner Avenues
3rd Street, east side, between Gilman and Hollister Avenues
3rd Street, east side, between Jamestown and Key Avenues
3rd Street, east side, between Key and Le Conte Avenues
3rd Street, east side, between Le Conte and Meade Avenues
3rd Street, east side, between Underwood and Van Dyke Avenues
3rd Street, east side, between Van Dyke and Wallace Avenues
3rd Street, east side, from Bancroft Avenue to 80 feet northerly (80-foot zone)
3rd Street, east side, from Donner Avenue to 60 feet southerly (60-foot zone)
3rd Street, east side, from Fitzgerald Avenue to 65 feet southerly (65-foot zone, along traffic island)
3rd Street, east side, from Fitzgerald Avenue to 82 feet northerly (82-foot zone)
3rd Street, east side, from Gilman Avenue to 52 feet northerly (52-foot zone)
3rd Street, east side, from Gilman Avenue to 60 feet northerly (60-foot zone)
3rd Street, east side, from Hollister Avenue to 80 feet southerly (80-foot zone)
3rd Street, east side, from Jamestown Avenue to 65 feet northerly (65-foot zone)
3rd Street, east side, from Underwood Avenue to 42 feet northerly (42-foot zone)
3rd Street, west side, between Lane Street and Yosemite Avenue (traffic island)
3rd Street, west side, between Le Conte and Keith Avenues
3rd Street, west side, between Salinas and Jamestown Avenues
3rd Street, west side, between Underwood and Williams Avenues
3rd Street, west side, between Williams and Wallace Avenues
3rd Street, west side, from Donner Avenue to 72 feet southerly (72-foot zone)
3rd Street, west side, from Paul Avenue to 368 feet southerly (368-foot zone)
3rd Street, west side, from Paul Avenue to 374 feet northerly (374-foot zone)
3rd Street, west side, from Salinas Avenue to 172 feet northerly (172-foot zone)
3rd Street, west side, from Underwood Avenue to 70 feet northerly (70-foot zone)
3rd Street, west side, from Yosemite Avenue to 110 feet southerly (110-foot zone)

LEFT TURN ONLY - ESTABLISH

Hickory Street, eastbound, at Franklin Street

Ritch Street, northbound, at Brannan Street

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Kearny Street, west side, from Francisco Street to 30 feet southerly (30-foot zone) (Parking and Traffic Department)

(DPT Order No. 2159.)

2/8/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

010254 [Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - RESCIND

San Bruno Avenue, west side, from north terminus north of 18th Street to 32 feet southerly (32-foot zone to replaced with a longer zone)

NO PARKING ANYTIME - ESTABLISH

San Bruno Avenue, west side, from north terminus north of 18th Street to 50 feet southerly (50-foot zone, replacing and extending existing zone)

UNMETERED MOTORCYCLE PARKING - ESTABLISH

16th Street, north side, from 8th Street to 35 feet easterly (35-foot zone, accommodating 10 motorcycle spaces) (Parking and Traffic Department)

(DPT Order No. 2159.)

2/8/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

Requests Granted

*From: Supervisors Maxwell, Daly, Gonzalez, Hall, McGoldrick, Newsom, Peskin, Sandoval, Yee, Leno
To: City Attorney*

Requesting/Inquiring: To draft legislation to amend the Administrative Code whereby the allotted public comment time limit at all City and County of San Francisco Board, Committee, and Commission meetings be doubled for citizens utilizing translation assistance.

From: Supervisors McGoldrick, Gonzalez

To: City Attorney

Requesting/Inquiring: To draft legislation providing for increased pedestrian safety measures for locations frequented by vulnerable populations, such as seniors and the disabled. These measures should include oversized new Department of Parking and Traffic approved fluorescent green advanced school crossing signage, installation of ladder and/or zebra style crosswalks, as well as other measures discussed with Deputy City Attorneys with regard to previous request to draft pedestrian safety measures for school children.

From: Supervisor Newsom

To: Director, Department of Building Inspection

Requesting/Inquiring: To investigate and report on the number of fines issued during the past year for violation of construction limitations; also, by what mechanism are construction limitations, such as time of day, patrolled? Clerk to send copy to Daniella Kirshenbaum, 2518 Gough Street, San Francisco, CA 94123.

From: Supervisor Newsom

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To investigate and report how the Department patrols permit parking for construction to ensure that contractors and/or others do not manipulate time/date of time/date certain permits by hand to extend the date. Clerk to send copy to Director, Department of Public Works.

From: Supervisor Newsom

To: Director, Planning Department

Requesting/Inquiring: To investigate and report on the following:

- 1. Whether the residential design guidelines are posted on its internet site, and, if not whether it could and intends to post those guidelines on the internet.*
- 2. For both residential and commercial property, how many demolition permits it has issued in the past year; by contrast, how many renovation permits were issued. Further inquiring whether the department has a mechanism to gauge abuses of renovation permits, which are used as de facto demolition permits by contractors.*
- 3. Whether "311" notices are available or could be made available on the internet.*

Clerk to send copy to Daniella Kirshenbaum, 2518 Gough Street, San Francisco, CA 94123.

From: Supervisor Newsom

To: Director, Mayor's Commute Assistance Program

To: Director, Municipal Transportation Authority

Requesting/Inquiring: That Director of Mayor's Commute Assistance Program and Director of Municipal Transportation Authority investigate and report whether San Francisco can implement a program similar to the Santa Clara Valley Transportation Authority Eco Pass, allowing employers to purchase annual pass stickers for all full-time employees and the level of VTA services at a given work site; passes are purchased for full time employees at one discounted price per employee.

From: Supervisor Peskin

To: City Attorney

Requesting/Inquiring: To draft legislation to amend Section 607(e) of the Planning Code to specifically prohibit animated video signs, and make this amendment retroactive to February 20, 2001.

From: Supervisors Yee, Hall, McGoldrick, Newsom

To: Director, Department of Public Works

Requesting/Inquiring: To investigate and report on the following concerns:

- 1. Beautification of the sidewalks and land bordering the Great Highway.*
- 2. Extension of pedestrian walkways, bike lanes to create a more pedestrian and bike safe and friendly area.*
- 3. Addition of lighting to allow for increased visibility and safety.*

From: Supervisors Yee, Hall

To: City Attorney

Requesting/Inquiring: That the City Attorney work with the City of San Francisco's federal delegation on legislative remedies to the closure of Fort Funston resulting in the loss of recreational activities to citizens of San Francisco.

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To resubmit legislation authored by Supervisors Teng and Becerril last session, requiring Board of Supervisors to incur costs of translation in committee and for individual offices.

From: Supervisor Daly

To: Director, Planning Department

Requesting/Inquiring: Requesting all correspondence related to the Discretionary Review of the Armory Project at 14th and Mission Streets in District 6.

From: Supervisor Daly

To: Director, Treasure Island Development Authority

Requesting/Inquiring: To investigate and report on the cost of the most recent RFQ process, and an accounting to the functions of staff members in regard to this process. Also, a request for timeline and action steps with regard to contracting for the "master developer."

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft legislation to form a Municipal Harbor Authority, a public agency barred from entering public-private partnerships. This agency would combine the functions of operations and capital for all City-administered harbors, including but not limited to Treasurer Island, South Beach Marina, Marina Small Craft Harbor, Pier 39, et al.

From: Supervisor Daly

To: General Manager, Recreation and Park

To: Director, Port

To: Director, Treasure Island Development Authority

To: Director, Administrative Services

Requesting/Inquiring: That General Manager, Recreation and Park Department and Directors of Port, Treasure Island Development Authority and Administrative Services comment on legislation to form a Municipal Harbor Authority, a public agency barred from entering public-private partnerships. This agency would combine the functions of operations and capital for all City-administered harbors, including but not limited to Treasurer Island, South Beach Marina, Marina Small Craft Harbor, Pier 39, et al.

From: Supervisor Gonzalez

To: City Attorney

Requesting/Inquiring: To draft legislation pursuant to California Health and Safety Code Section 34290 dissolving the San Francisco Housing Authority Board of Commissioners and placing the operational functions of the San Francisco Housing Authority under the direction of the San Francisco Board of Supervisors.

From: Supervisor Gonzalez

To: City Attorney

Requesting/Inquiring: To issue a writ of mandamus to Catholic HealthCare West regarding their violation of Proposition Q due to eliminating psychiatric services without proper notice to patients and employees of St. Mary's and the Health Commission of San Francisco.

From: Supervisor Hall

To: Chief, Police Department

Requesting/Inquiring: To investigate and report whether or not the Department is still required to produce monthly neighborhood crime reports pursuant to Federal Bureau of Investigation regulations. If so, is it possible to make these reports more accessible to the public; for example, can these reports be placed on the Internet? If not, is it feasible to begin producing these reports again? What steps would be required on Department's behalf and on the Board's behalf to do this?

From: Supervisor Hall

To: City Attorney

Requesting/Inquiring: To determine if the San Francisco Sunshine Ordinance will apply to the proposed San Francisco - Brisbane Municipal Utility District, if approved by voters in the November election.

From: Supervisor Hall

To: City Attorney

Requesting/Inquiring: To draft a charter amendment implementing the terms of Charter Section 16.101, to create a new City Department, namely the San Francisco Power Authority. This Department should be given the power necessary to gradually acquire and ultimately own all power utilities for the City and County of San Francisco. This Department will be governed by a nine-member Board of Directors, 4 members elected on a city-wide basis, 3 members appointed by the Board of Supervisors, and 2 members appointed by the Mayor, although the Board of Supervisors must be consulted on the mayoral appointments. Moreover, the city-wide candidate that receives the most votes should be declared the Executive Director of this Power Authority.

From: Supervisors Leno, McGoldrick

To: City Attorney

Requesting/Inquiring: To draft legislation that requires new development of large projects to include photo voltaic technology in their construction design.

From: Supervisor Leno

To: Director, Department of Telecommunication and Information Services

Requesting/Inquiring: To investigate and report on the cost of creating an online interdepartmental master street activity calendar, would it be feasible and how long would it take to create it. The need for this master calendar has been expressed by Departments such as the Department of Parking and Traffic and the Film Commission who frequently approve street closures but are unaware of other departmental closures.

From: Supervisor Leno

To: Director, California State Recreation and Park Department

Requesting/Inquiring: To report whether the Department is willing to allow the SPCA to enter into a management relationship with the Department using Candlestick Point State Park property for off-leash activities.

From: Supervisor Leno

To: SPCA

Requesting/Inquiring: To report whether the organization would be willing to enter into a management relationship with the State Department of Recreation and Park properties to be used for off-leash activities. Areas under consideration presently include Warm Water Cove, Thorton State Beach and Candlestick Point State Park.

In Memoriam

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Albert Thompson (Supervisor Daly)

Anne Richard (Supervisor Sandoval)

ADJOURNMENT

There being no further business, the Board at the hour of 3:50 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 2, 2001.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place

San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.

Monday, February 26, 2001 2:00 PM

JUL 20 2001

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

SAN FRANCISCO
PUBLIC LIBRARY

Regular Meeting

TOM AMMIANO, PRESIDENT

*CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE MCGOLDRICK, GAVIN NEWSOM
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE*

Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Audit, Labor and Government Efficiency Committee

Supervisors Newsom, Daly, McGoldrick

City and School District Committee

Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynns, Commissioner Mar

Economic Vitality, Small Business and Social Policy Committee

Supervisors Sandoval, Newsom, Maxwell

Finance Committee

Supervisors Leno, Peskin, Gonzalez

Housing, Transportation and Land Use Committee

Supervisors McGoldrick, Daly, Peskin

Neighborhood Services and Parks Committee

Supervisors Yee, Hall, Sandoval

Public Health and Environment Committee

Supervisors Maxwell, Yee, Leno

Public Utilities and Deregulation Committee

Supervisors Daly, Gonzalez, Ammiano

Rules Committee

Supervisors Gonzalez, Hall, Ammiano

Meeting Days

2nd & 4th Tuesday
1:00 PM

Call of the Chair

1st & 3rd Tuesday
10:00 AM

Wednesday
10:00 AM

2nd & 4th Thursday
1:00 PM

1st & 3rd Tuesday
1:00 PM

2nd & 4th Tuesday
10:00 AM

Call of the Chair

1st & 3rd Thursday
1:00 PM

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:00 p.m. On call of the roll, all Supervisors were noted present.

Quorum present.

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued or considered differently.

Supervisor Ammiano indicated the matter relating to amendment to the India Basin Industrial Park Redevelopment Plan to modify use restrictions and parking and loading requirements, Files 002092 and 001861. (See infra.)

CONSENT AGENDA

Recommendations of the Audit, Labor and Government Efficiency Committee

010006 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Lesha Taylor and Melanie Vaughn against the City and County of San Francisco for \$100,000; the lawsuit was filed on March 24, 1999 in San Francisco Superior Court, Case No. 302210; entitled Taylor et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 31-01
FINALLY PASSED

010028 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by David L. Birkholz, An Incompetent, et al. versus the City the County of San Francisco for \$50,000.00; the lawsuit was filed on 6/22/95 in Superior Court of San Francisco, Case No. 970-567; entitled David L. Birkholz, An Incompetent, et al. v. State of California, City and County of San Francisco, et al; material terms of said settlement are: in consideration of City making payment of \$50,000.00 to the plaintiff, the plaintiff agrees to dismiss the suit against the City and County of San Francisco and all the individually named City employee defendants. (City Attorney)

Ordinance No. 32-01

FINALLY PASSED

010160 [Settlement of Litigation]

Ordinance authorizing settlement of the lawsuits filed by Golden Eagle Insurance Co. and Martha Johnson against the City and County of San Francisco for the total amount of \$150,000; the lawsuits were filed on August 17, 1998 and August 25, 1998 in San Francisco Superior Court, Case Nos. 997-242 and 997-465; entitled Golden Eagle Insurance Co. v. City and County of San Francisco, et al. and Martha Johnson v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 35-01

FINALLY PASSED

010107 [Memorandum of Understanding, Local 790 Fire Rescue Paramedics]

Ordinance adopting and implementing the terms of a Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Local 790, and the City and County of San Francisco for the H-1 Fire Rescue Paramedics to be effective for the period July 1, 1999 through June 30, 2001. (Human Resources Department)

(Fiscal impact.)

Ordinance No. 34-01

FINALLY PASSED

Recommendation of the Finance Committee**010161 [Airport Concession Lease]**

Resolution approving, retroactively, the Boarding Area "F" Cosmetic and Toiletries Lease between Buth-Na-Bodhaige, Inc. dba The Body Shop, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Resolution No. 166-01

ADOPTED

Recommendation of the Housing, Transportation and Land Use Committee

010054 [Termination of existing sewer easement and acceptance of replacement sewer easement between Tandang Sora Street and 4th Street]
Ordinance authorizing the termination of an existing sewer easement and the acceptance of the grant of a replacement sewer easement between Tandang Sora Street and 4th Street, and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

Ordinance No. 33-01

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Appointment of President Pro Tempore

At the request of the President, Supervisor Peskin assumed the Chair so the President could participate in the debate from the floor concerning the following item.

Recommendation of the Finance and Labor Committee

001557 [Visitation Valley Interim Controls]
Supervisors Ammiano, Bierman, Yee, Peskin, Daly

Resolution imposing Interim Zoning Controls for a period of twelve (12) months by applying the zoning controls applicable in NC-3 Districts that are contained in Municipal Code Part II, Chapter II (Planning Code) Section 712 to Assessor's Blocks 5087, 5100, and 5101, and Block 5099, Lot 14, by limiting the maximum non-residential use size to sixty-five thousand (65,000) square feet on Assessor's Blocks 5087, 5100 and 5101 and Block 5099, Lot 14, and in the adjacent NC-3 District located on Bayshore Boulevard and bounded by Arleta Avenue on the north and the terminus of the City and County of San Francisco to the south; and adopting findings pursuant to Planning Code Section 101.1

(October 6, 2000 - Certificate of Determination of Exemption/Exclusion From Environmental Review, exempt status, general rule exclusion (State Guidelines, Section 15061(b)(3)).

Supervisors Peskin, Daly requested to be added as co-sponsors.

Resolution No. 159-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

The President resumed the Chair.

NEW BUSINESS

Recommendation of the Audit, Labor and Government Efficiency Committee

001638 [Controller's Audit, Marina Yacht Harbor]
Supervisor Newsom

Resolution urging the Recreation and Park Department to implement, with all due haste, the recommendations stemming from the Controller's 2000 San Francisco Marina Small Craft Harbor Report.

(Supervisor McGoldrick dissenting in committee)

Supervisor McGoldrick, seconded by Supervisor Yee, moved to re-refer this matter to committee.

Motion to re-refer to committee failed adoption by the following vote:

Ayes: 5 - Ammiano, Gonzalez, McGoldrick, Sandoval, Yee

Noes: 6 - Daly, Hall, Leno, Maxwell, Newsom, Peskin

Supervisor Peskin moved to amend page two, between lines 3 and 4, by inserting "Further resolved, That nothing in this resolution condones the construction of breakwaters (in the East or West portions) in the harbor; and, be it".

Supervisor Peskin, seconded by Supervisor Newsom, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Supervisor McGoldrick requested that this matter be continued to March 5, 2001.

Supervisor McGoldrick, seconded by Supervisor Yee, moved that this Resolution be CONTINUED AS AMENDED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval, Yee

Noes: 4 - Daly, Hall, Leno, Newsom

Recommendations of the Finance Committee

010061 [Substance Abuse and Crime Prevention Trust Fund and Designation of Lead Agency]
Mayor, Supervisors Newsom, Maxwell, Hall, McGoldrick, Daly, Leno, Peskin

Ordinance adding Section 10.100-221 of the San Francisco Administrative Code establishing fund for deposit of sums received under the Substance Abuse and Crime Prevention Act of 2000, and designating the Department of Public Health as the lead agency for administration of the fund.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

- 010272 [Appropriation, funding for earthquake relief to El Salvador]
Mayor, Supervisors Sandoval, Newsom

Ordinance appropriating \$100,000 from the General Fund Reserve for the Salvadorian Emergency Committee to provide earthquake relief for fiscal year 2000-01.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Recommendation of the Neighborhood Services and Parks Committee

- 002064 [Conservatory of Flowers Contracts]
Supervisor Newsom

Ordinance authorizing the Director of Public Works to limit competitive bidding of contracts to a group of pre-qualified contractors for the rehabilitation and upgrading of the Golden Gate Park Conservatory of Flowers.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Recommendations of the Rules Committee

- 010010 [Ban on old-growth wood]
Supervisors Katz, Bierman, Leno, Newsom

Ordinance amending San Francisco Administrative Code by reenacting Chapter 12I which prohibits the City from using, requisitioning or purchasing any tropical hardwoods, tropical hardwood products, virgin redwood, or virgin redwood products.

(Reenacts Sections 12I.1 through 12I.11.)

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

- 010025 [Appointments]
Supervisor Ammiano

Resolution appointing Joseph Blue, Robert McDonnell, Leah Shahum, and Maryanne Harrison, indefinite terms subject to review and affirmation by the Board of Supervisors in January of each odd numbered year, to the Golden Gate Bridge, Highway and Transportation District.

(Supervisor Gonzalez dissenting on the appointment of Robert McDonnell, Seat 2.)

Supervisor Leno requested the appointment concerning Maryanne Harrison, Seat number four, be divided so it could be considered separately. See File 010369.

DIVIDED.

Resolution appointing Joseph Blue, Robert McDonnell, and Leah Shahum, indefinite terms subject to review and affirmation by the Board of Supervisors in January of each odd numbered year, to the Golden Gate Bridge, Highway and Transportation District.

(Joseph Blue, succeeding Barbara Kaufman, [Seat No. 1, must represent the public at large] for an indefinite term subject to review and affirmation by the Board of Supervisors in January of each odd numbered year; Robert McDonnell, succeeding John Moylan, [Seat No. 2, must represent the public at large] for an indefinite term subject to review and affirmation by the Board of Supervisors in January of each odd numbered year; Leah Shahum, succeeding Robert McDonnell, [Seat No. 3, must represent the public at large] for an indefinite term subject to review and affirmation by the Board of Supervisors in January of each odd numbered year.)

(Supervisor Gonzalez dissenting on the appointment of Robert McDonnell in committee.)

The roll was then called on the balance of the appointments.

Resolution No. 160-01

ADOPTED AS DIVIDED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

010369 [Appointment]

Resolution appointing Maryanne Harrison, indefinite term subject to review and affirmation by the Board of Supervisors in January of each odd numbered year, to the Golden Gate Bridge, Highway and Transportation District.

(MaryAnne Harrison, succeeding Robert Ross, [Seat No. 4, must represent the public at large] for an indefinite term subject to review and affirmation by the Board of Supervisors in January of each odd numbered year.)

Divided from File 010025.

Resolution No. 180-01

ADOPTED AS DIVIDED by the following vote:

Ayes: 6 - Ammiano, Gonzalez, Hall, McGoldrick, Sandoval, Yee

Noes: 5 - Daly, Maxwell, Leno, Newsom, Peskin

010152 [Appointment]

Resolution appointing Supervisor Aaron Peskin, term ending February 1, 2005, to the Bay Area Air Quality Management District Board of Directors.

(Supervisor Aaron Peskin, succeeding former Supervisor Amos Brown, [Seat No. 1, must be a member of the Board of Supervisors] for a new 4-year term ending February 1, 2005.)

Supervisor Newsom, seconded by Supervisor Leno, moved to excuse Supervisor Peskin from voting on this matter. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Resolution No. 161-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Sandoval, Yee

Excused: 1 - Peskin

010153 [Appointment]

Resolution appointing Supervisor Leland Yee and Supervisor Jake McGoldrick, term ending November 28, 2001, to the California State Association of Counties Board of Directors.

(Supervisor Leland Yee, succeeding former Supervisor Michael Yaki, [Seat No. 1, must be a member of the Board of Supervisors], for the unexpired portion of a one-year term ending November 28, 2001; Supervisor Jake McGoldrick, succeeding Supervisor Leland Yee, [Seat No. 2, alternate member, must be a member of the Board of Supervisors], for the unexpired portion of a one-year term ending November 28, 2001.)

Supervisor Newsom, seconded by Supervisor Peskin, moved to excuse Supervisors McGoldrick and Yee from voting on this matter. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Resolution No. 162-01

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, Leno, Newsom, Peskin, Sandoval

Excused: 2 - McGoldrick, Yee

010154 [Appointment]

Resolution appointing Supervisor Tony Hall, term ending June 30, 2001, to the Association of Bay Area Governments Executive Board.

(Supervisor Tony Hall, succeeding former Supervisor Michael Yaki, [Seat No. 1, must be member of Board of Supervisors], for the unexpired portion of a two-year term ending June 30, 2001.)

(Supervisor Hall excused from voting in committee.)

Supervisor Newsom, seconded by Supervisor Leno, moved to excuse Supervisor Hall from voting on this matter. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Resolution No. 163-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Excused: 1 - Hall

010155 [Appointment]

Resolution appointing Supervisor Tony Hall, term ending June 30, 2002, to the Peninsula Corridor Study Joint Powers Board.

(Supervisor Tony Hall, succeeding Supervisor Tom Ammiano, [Seat No. 1, must be a member of the Board of Supervisors], for the unexpired portion of a two-year term ending June 30, 2002.)

(Supervisor Hall excused from voting in committee.)

Supervisor Newsom, seconded by Supervisor Leno, moved to excuse Supervisor Hall from voting on this matter. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Absent: 1 - Hall

Resolution No. 164-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee
Excused: 1 - Hall

010156 [Appointment]

Resolution appointing Supervisor Leland Yee, for an indefinite term, to the San Francisco Bay Conservation and Development Commission.

(Supervisor Leland Yee, succeeding former Supervisor Sue Bierman, [Seat No. 1, must be a member of the Board of Supervisors], for an indefinite term.)

Supervisor Peskin, seconded by Supervisor Gonzalez, moved to excuse Supervisor Yee from voting on this matter. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Resolution No. 165-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval
Excused: 1 - Yee

010157 [Appointment]

Resolution appointing Supervisor Tom Ammiano, term ending February 9, 2003, to the Metropolitan Transportation Commission.

(Supervisor Tom Ammiano, succeeding former Supervisor Sue Bierman, [Seat No. 1, must be a member of the Board of Supervisors] for the unexpired portion of a four-year term ending February 9, 2003.)

(Supervisor Ammiano excused from voting in committee.)

Supervisor Peskin, seconded by Supervisor McGoldrick, moved to excuse Supervisor Ammiano from voting on this matter. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Resolution No. 146-01

ADOPTED by the following vote:

Ayes: 9 - Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee
Absent: 1 - Sandoval
Excused: 1 - Ammiano

010158 [Appointment]

Resolution appointing Supervisor Tom Ammiano, term ending January 31, 2003, to the Board of Directors, Golden Gate Bridge Highway and Transportation District.

(Supervisor Tom Ammiano, succeeding himself, [Seat No. 6, must be a member of the Board of Supervisors], for an indefinite term subject to review and affirmation by the Board of Supervisors in January of each odd numbered year.)

(Supervisor Ammiano excused from voting in committee.)

Supervisor Peskin, seconded by Supervisor McGoldrick, moved to excuse Supervisor Ammiano from voting on this matter. The motion carried by the following vote:

Ayes: 9 - Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee

Absent: 2 - Ammiano, Sandoval

Resolution No. 155-01

ADOPTED by the following vote:

Ayes: 9 - Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee

Absent: 1 - Sandoval

Excused: 1 - Ammiano

010214 [Appointment]

Resolution appointing Supervisor Leland Yee, term ending January 31, 2003, to the Board of Directors, Golden Gate Bridge Highway and Transportation District.

(Supervisor Leland Yee, succeeding former Supervisor Mabel Teng, [Seat No. 5, must be a member of the Board of Supervisors] for an indefinite term subject to review and affirmation by the Board of Supervisors in January of each odd numbered year.)

Supervisor Newsom, seconded by Supervisor Peskin, moved to excuse Supervisor Yee from voting on this matter. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Resolution No. 156-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval

Excused: 1 - Yee

010215 [Appointment]

Resolution appointing Supervisor Gavin Newsom, term ending January 31, 2003, to the Board of Directors, Golden Gate Bridge Highway and Transportation District.

(Supervisor Gavin Newsom, succeeding former Supervisor Michael Yaki, [Seat No. 7, must be a member of the Board of Supervisors] for an indefinite term subject to review and affirmation by the Board of Supervisors in January of each odd numbered year.)

Supervisor McGoldrick, seconded by Supervisor Daly, moved to excuse Supervisor Newsom from voting on this matter. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Resolution No. 157-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval, Yee
Excused: 1 - Newsom

010216 [Appointment]

Resolution appointing Supervisor Mark Leno, term ending January 31, 2003, to the Board of Directors, Golden Gate Bridge Highway and Transportation District.

(Supervisor Mark Leno, succeeding former Supervisor Barbara Kaufman, [Seat No. 8, must be a member of the Board of Supervisors] for an indefinite term subject to review and affirmation by the Board of Supervisors in January of each odd numbered year.)

Supervisor McGoldrick, seconded by Supervisor Daly, moved to excuse Supervisor Leno from voting on this matter. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Resolution No. 158-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Excused: 1 - Leno

010217 [Appointment]

Resolution appointing Supervisor Jake McGoldrick, term ending June 30, 2001, to the Association of Bay Area Governments Executive Board.

(Supervisor Jake McGoldrick, succeeding former Supervisor Amos Brown, [Seat No. 2, must be member of Board of Supervisors], for the unexpired portion of a two-year term ending June 30, 2001.)

Supervisor Leno, seconded by Supervisor Maxwell, moved to excuse Supervisor McGoldrick from voting on this matter. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Resolution No. 167-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, Leno, Newsom, Peskin, Sandoval, Yee
Excused: 1 - McGoldrick

SPECIAL ORDER 3:00 P.M.**002092 [Public Hearing]**

Hearing to consider proposed Ordinance approving and adopting an amendment to the Redevelopment Plan for the India Basin Industrial Park Development Project Area (Ordinance No. 26-69, amended by Ordinance Nos. 474-86, 141-87 and 416-94) to modify the use restrictions and reduce the parking and loading requirements for Lot 23 of Assessor's Block 5203 within the Redevelopment Plan Area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan amendment is consistent with the City's General Plan and Eight Priority Policies of the City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment law.

(Final Negative Declaration issued on October 18, 2000; Redevelopment Agency report dated October 2000 to the Board of Supervisors for the India Basin Industrial Park Redevelopment Plan Amendment.)
(Companion measure to File 001861.)

Supervisor Maxwell requested that this matter be continued to April 2, 2001.

Supervisor Maxwell, seconded by Supervisor Yee, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

From Redevelopment Agency**001861 [Amendment to the India Basin Industrial Park Redevelopment Plan to modify use restrictions and parking and loading requirements]
Supervisor Katz**

Ordinance approving and adopting an amendment to the Redevelopment Plan for the India Basin Industrial Park Development Project Area (Ordinance No. 26-69, amended by Ordinance Nos. 474-86, 141-87 and 416-94) to modify the land use provisions and reduce the parking and loading requirements for Lot 23 of Assessor's Block 5203 within the Redevelopment Plan Area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan Amendment is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law.

(Final Negative Declaration issued on October 18, 2000; Redevelopment Agency report dated October 2000 to the Board of Supervisors for the India Basin Industrial Park Redevelopment Plan Amendment.)

Supervisor Maxwell requested that this matter be continued to April 2, 2001.

Supervisor Maxwell, seconded by Supervisor Yee, moved that this Ordinance be CONTINUED ON FIRST READING. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

PUBLIC COMMENT

Speaking in support of Ronnie Davis and Mayor Brown regarding the San Francisco Housing Authority: Amos Brown, Abdalla Megahed, Sulaka, William Vitalie, Raymond Nichols, Arthur Shapiro, Benny Wright, Matt Mason, Mrs. Yee, John Gold, Mercy Washington, Jeffrey Phillips, Will Right, Estelle Paulo, Latina Washington, male speaker, Ed Kittrell, female speaker, Ms. Washington, Shirley Bird, Ken Banford, Rosie Smith, Watson Low, Raymond Ross, Clarene Brown, Rubin Smith, Kevin Ronstad, Sister Barbara Washington, female speaker, Joe O'Donoghue, Vincent Washington, male speaker, Anita Ortiz, Marie Harrison, Don, Lenette White, Evangelist Johnson, female speaker, male speaker, Scott Edison, Katherine Sneed, Ed McRoy, male speaker, Shawn Richards, James Pride, Carol Ogildy, Eric, Bruce, female speaker, Michael, Joyce Armstrong, female speaker, C. Washington.

*John Jenkel, mauling dog incident, urge transfer care of Hera to SPCA;
Eula Walters, Ernestine Weiss, oppose opening of Davis Street;
Gilbert Criswell, supports appointment of Joe Blue;
Floyd Brown, quality of life issues;
Edmund, housing;
Terry Shore, supports environmentally friendly ferries.*

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

010349 [Legislative Analyst Request]
Supervisor Sandoval

Motion asking the Legislative Analysts to provide general research and analysis on San Francisco policy regarding business tax relief for businesses that reduce their power usage in the interest of conserving electricity; and to provide comparative information on other cities' laws and policies regarding business tax relief for businesses that reduce their power usage.

APPROVED by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin
Absent: 3 - Newsom, Sandoval, Yee

CLOSED SESSION - CONFERENCE WITH CITY ATTORNEY - EXISTING LITIGATION**010081 [Existing Litigation]**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the plaintiffs and claimants, various businesses, are, in sum, challenging the constitutionality of the City's business taxing system. These plaintiffs and claimants are also seeking reimbursement of tax payments made to the City:

Eastman Kodak Company v. San Francisco
San Francisco Superior Court No. 302-983
Date filed: 4/22/99

General Motors Corporation v. San Francisco
San Francisco Superior Court No. 301-510

EOP-580 California Street, L.L.C., et al. v. San Francisco
San Francisco Superior Court No. 315-704

General Motors Corporation, et al. v. San Francisco
San Francisco Superior Court No. 312-487

Hewlett-Packard, et al. v. San Francisco
San Francisco Superior Court No. 306-787

The Neiman Marcus Group, Inc. v. San Francisco
San Francisco Superior Court No. 310-061

Panther Creek Leasing, Inc. et al. v. San Francisco
San Francisco Superior Court No. 307-873

Providian Financial Corporation, et al. v. San Francisco
San Francisco Superior Court No. 316-461

Signature Network, Inc., et al. v. San Francisco
San Francisco Superior Court No. 312-489

Union Pacific Railroad Co., et al. v. San Francisco
San Francisco Superior Court No. 309-421

Various other related cases and claims against San Francisco filed by other businesses.

This closed session would be permitted by Government Code Section 54956.9(c), and San Francisco Administrative Code Section 67.10(d). (City Attorney)

Supervisor Leno, seconded by Supervisor Peskin, moved to convene in closed session. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval
Absent: 1 - Yee
Excused: 1 - Newsom

Present:

*Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee - 10.
Supervisor Newsom was excused by previous action of the Board. See February 5, 2001 Meeting Minutes.
Louise H. Renne, City Attorney;
Ed Harrington, Controller;
Susan Leal, Treasurer;
Karen Snell, outside counsel;
Deputy City Attorneys Julie Van Nostern, Joe Quinn, Malcolm Carson, Owen Martikan, Ted Lakey;
Gloria L. Young, Clerk of the Board;
Jean Lum, Deputy Clerk.
Tape No. 01 007.*

HEARD IN CLOSED SESSION.

Supervisor Leno requested this matter be continued to March 5, 2001.

Supervisor Leno, seconded by Supervisor Maxwell, moved that this Litigation be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin

Absent: 3 - Newsom, Sandoval, Yee

Recess

The Board recessed at the hour of 5:30 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 7:03 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin - 8.

Noted absent:

Supervisors Newsom, Sandoval, Yee - 3.

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board of Supervisors met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9(c) and Administrative Code Section 67.10(d), for the purpose of conferring with, or receiving advice from, the City Attorney regarding the above pending litigation.

The meeting was informational only and no action was taken.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Supervisor McGoldrick, seconded by Supervisor Leno, moved to not disclose its closed session deliberations. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin

Absent: 2 - Sandoval, Yee

Excused: 1 - Newsom

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

010329 [David Brower Center]
Supervisor Newsom

Resolution supporting the concept of an environmental center housing activist organizations and providing services for the environmental community such as that envisioned by the David Brower Center project.

Resolution No. 169-01
ADOPTED

010330 [News Helicopters]
Supervisors Ammiano, Peskin

Resolution urging Bay Area news helicopters of KRON TV-4, KPIX TV-5 and KGO TV-7 to exercise courtesy and restraint when using helicopters to pursue stories over San Francisco neighborhoods, especially at night and in the early morning when residents are sleeping.

Supervisor Peskin requested to be added as co-sponsor.
Resolution No. 170-01
ADOPTED

010331 [Domestic Partners]
Supervisors Ammiano, Leno, Daly

Resolution urging Governor Davis and the State Legislature to pass legislation allowing state-recognized domestic partners to pursue wrongful death lawsuits.

Supervisors Leno, Daly requested to be added as co-sponsors.
Resolution No. 171-01
ADOPTED

- 010332 [Ferry operations]
Supervisors Gonzalez, Peskin, Leno

Resolution urging the Golden Gate National Recreation Area in current and future requests for proposals and contracts for all ferry operations to require the use of environmentally friendly hybrid solar-electric, wind-powered ferries; encourage those ferry operators to phase out petroleum-derived-fuel-powered ferries by 2005, and give preference to ferry designs with low wake wash, shallow draft and quieter noise characteristics than conventional diesel to lessen impacts on marine mammals, aquatic life and shorelines.

Supervisors Peskin, Leno requested to be added as co-sponsors.

Resolution No. 178-01

ADOPTED

- 010334 [Commendation]
Supervisors Maxwell, Newsom, Leno, Daly

Resolution commending the San Francisco African American Tobacco Free Project (SFAATFP) and the forty African American religious institutions representing Bay Area churches, temples, and mosques (hereinafter referred to as the "Fabulous Forty"), for their endless effort to free their community from the deadly grasp of nicotine addiction, and their decision not to accept any funding from tobacco companies.

Supervisors Newsom, Leno, Daly requested to be added as co-sponsors.

Resolution No. 172-01

ADOPTED

- 010335 [Proclamation]
Supervisors Maxwell, Ammiano, Hall, McGoldrick, Newsom, Peskin

Resolution declaring March 1, 2001 as American Red Cross Day in San Francisco.

Resolution No. 173-01

ADOPTED

- 010336 [Commendation]
Supervisors Newsom, Peskin

Resolution commending the launch of the Senior Surfers Suferlab in the Aquatic Park Senior Center.

Supervisor Peskin requested to be added as co-sponsor.

Resolution No. 174-01

ADOPTED

- 010337 [Commendation]
Supervisors Daly, Newsom, Peskin

Resolution commending Judge Lillian Sing for her pioneering work on behalf of Chinese Americans and in support of affirmative action, and extending best wishes.

Supervisor Peskin requested to be added as co-sponsor.

Resolution No. 175-01

ADOPTED

010339 [A Day of Love and Sorrow]
Supervisors Leno, McGoldrick, Maxwell, Newsom, Peskin, Daly

Resolution remembering the hundreds of individuals who died homeless in our community over the years and declaring March 11, 2001 "A day of love and sorrow, remembering the 138 men, women, and children who died homeless in San Francisco in 2000."

Supervisors Newsom, Peskin, Daly requested to be added as co-sponsors.

Resolution No. 177-01

ADOPTED

010350 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M01-25

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval

Absent: 2 - Newsom, Yee

Severed From For Adoption Without Committee Reference Agenda

010328 [List of organizations for membership in the Park, Recreation and Open Space Advisory Committee]
Supervisors Newsom, Peskin

Resolution ratifying the list of recommended organizations for membership in the Park, Recreation, and Open Space Advisory Committee as required by Proposition C and approved by the Recreation and Park Commission.

Supervisor Gonzalez requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Gonzalez moved technical amendment and to delete duplicate names as follows: Page one, line 20, delete the "s" after "Park"; page two, lines 15, delete "Chinatown Committee For Better, Parks & Recreations,"; page two, line 17, delete "Friends & Neighbors of Aptos Park,"; page two, line 25, delete "Friends of Duboce Park"; page three, line 12, delete "Friends of Mountain Lake Park,".

Supervisor Gonzalez, seconded by Supervisor Peskin, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval

Absent: 2 - Newsom, Yee

Supervisor Peskin requested to be added as co-sponsor.

Resolution No. 168-01

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval

Absent: 2 - Newsom, Yee

010333 [Citizen Advisory Committee to Port Commission]
Supervisors Hall, Newsom

Resolution urging the San Francisco Port Commission to fairly consider and evaluate all proposals and recommendations developed by the various Citizen Advisory Committees as the Port Commission finalizes its decisions on the waterfront development.

Supervisor Peskin requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Peskin moved technical amendment to page one, line 11, by replacing "eleven" with "twelve" and amend line 16, after "Street Pier Committee," by inserting "the Environmental Quality Advisory Committee,"
Supervisor Peskin, seconded by Supervisor Daly, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval

Absent: 2 - Newsom, Yee

Resolution No. 179-01

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval

Absent: 2 - Newsom, Yee

010338 [Proclamation]
Supervisors Gonzalez, Peskin, Daly

Resolution declaring July 25, 2001 as Commander Milton Wolff and Abraham Lincoln Brigade Day in the City and County of San Francisco.

Supervisor Gonzalez requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Gonzalez presented an amendment of the whole, bearing same title (technical amendment).

Supervisor Gonzalez, seconded by Supervisor Peskin, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval

Absent: 2 - Newsom, Yee

Supervisors Peskin, Daly requested to be added as co-sponsors.

Resolution No. 176-01

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval

Absent: 2 - Newsom, Yee

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

010348 [Money Wire Transfer Service]
Supervisor Sandoval

Draft ordinance amending Part II, Chapter VIII, of the San Francisco Municipal Code (Police Code) by adding Sections 650-650.5 to Article 9, prohibiting persons that transmit money from charging an unreasonable fee.

2/20/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

Sponsor requests this item be scheduled for consideration at the March 20, 2001 meeting.

2/26/01, SUBSTITUTED. Supervisor Sandoval submitted a draft ordinance in Board.

2/26/01, ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

010370 [Appropriation, Aging and Adult Services]
Supervisor Daly

Ordinance appropriating \$1,000,000 for senior program needs and \$1,000,000 for infrastructure needs identified by Aging and Adult Services needs assessment survey, and amending the Annual Salary Ordinance to create two (2) positions for fiscal year 2000-01.

(Fiscal impact.)

2/26/01, RECEIVED AND ASSIGNED to Finance Committee.

010371 [Public Employment]
Supervisor Daly

Ordinance amending Ordinance No. 181-00 (Annual Salary Ordinance, 2000/01) reflecting the creation of two new positions in Aging and Adult Services.

(Fiscal impact.)

2/26/01, RECEIVED AND ASSIGNED to Finance Committee.

Resolutions010372 [Treasure Island Cooperative Agreement]
Mayor

Resolution approving and authorizing the Treasure Island Development Authority to enter into the 13th Modification to the Cooperative Agreement with the Navy to extend the Cooperative Agreement to June 30, 2001 for an additional amount of Navy reimbursement not to exceed \$145,000.
2/26/01, RECEIVED AND ASSIGNED to Finance Committee.

010373 [Sunol Quarry]
Supervisor Daly

Resolution urging the San Francisco Public Utilities Commission to discontinue plans for a quarry in Sunol that will result in safety and health impacts to students of Sunol Glen School and environmental desecration.
2/26/01, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

010374 [Emergency Work, John Muir Drive]
Supervisors Hall, Newsom

Resolution declaring a public emergency at John Muir Drive as a result of the unstable conditions caused by heavy rains and directing and authorizing the Director of the Department of Public Works to take necessary measures in the most expeditious manner to prevent or mitigate loss of or damage to the sewer transport system at John Muir Drive between Skyline Boulevard and Lake Merced Boulevard. (Public Works Department)
2/26/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

010375 [Norcal bulk item collection]
Supervisors McGoldrick, Hall

Resolution urging the Department of Public Works to require that Norcal Systems resume regularly scheduled collection of bulk items and urging DPW to negotiate for the inclusion of a commitment to such regular bulk item collection as a part of their contract with the City of San Francisco.
2/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010376 [U.S. Census litigation]
Supervisors Yee, Ammiano, Sandoval, Leno, Hall

Resolution urging the City Attorney to seek leave of court to permit the City to participate in the litigation challenging the new U.S. Commerce Department rule.
2/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010377 [Federal ban on project labor agreements]
Supervisors Ammiano, Daly**

Resolution urging President Bush to rescind his executive order banning Project Labor Agreements (PLAs) on all construction projects involving federal money and affirming the City and County of San Francisco's support of PLAs as a useful tool for safeguarding fair and equitable labor practices.

2/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010378 [TEFRA Public Hearing Approval]
Supervisor Daly**

Resolution authorizing the execution and delivery of certificates of participation by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$7,500,000 for Golden Gate Council of American Youth Hostels, Inc., or an affiliate.

2/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010379 [Permanent Partner Immigration Act]
Supervisors Leno, Ammiano, Gonzalez, Maxwell, McGoldrick, Daly, Newsom**

Resolution urging the United States Congress to adopt the "Permanent Partner Immigration Act" in the next Congressional session, which would add the term "permanent partner" to section of immigration law that provides immigration rights to legally married couples, and would allow gay and lesbian citizens to sponsor their partners as U.S. residents.

2/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010380 [Legal Immigrant Family Equality Act]
Supervisors Leno, Sandoval, Gonzalez, Maxwell, McGoldrick, Daly, Newsom**

Resolution urging the United States Congress to extend the "Legal Immigrant Family Equality Act" after its April 30th termination, allowing spouses and children of applicants for Immigrant Visas to continue to hold temporary visas while applications for Immigrant Visas are being processed.

2/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010381 [Warren Alquist Act, power plants]
Supervisors Maxwell, Daly, Peskin**

Resolution urging State Senators John Burton and Jackie Speier, Assemblywoman Carole Migden, and Assemblyman Kevin Shelley to ensure that there is no amendment to the Warren-Alquist Act that would weaken the City's or its citizens' right to act as an intervenor in the California Energy Commission (CEC) certification process of new or expanded power plants.

2/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 010382 [Emission Reduction Credits]
Supervisors Maxwell, Daly, Peskin, Leno

Resolution urging the Bay Area Quality Management District (BAAQMD) to reject application by Pacific Gas and Electric (PG&E) to acquire Interchangeable Emission Reduction Credits for the Hunters Point and Potrero Hill Power Plants.

2/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 010383 [Power plant certification]
Supervisors Maxwell, Daly

Resolution urging Governor Gray Davis to ensure that all environmental, health and safety, and public participation regulations are maintained in the California Energy Commission (CEC) certification process of new or expanded power plants.

2/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 010384 [Commendation]
Supervisor McGoldrick

Resolution commending the Lysaya Children's Dance Ensemble for its continued pursuit of intercultural understanding and international good will.

2/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 010385 [Proclamation]
Supervisors Ammiano, Daly, Hall

Resolution expressing profound gratitude to Archbishop Romero for the humanity he invoked in all of us, and declaring March 24, 2001 to be Archbishop Oscar Arnulfo Romero Day.

2/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 010386 [Commendation]
Supervisors Leno, Daly, Hall, Gonzalez, Sandoval, McGoldrick, Peskin, Newsom

Resolution commending Coleman Advocates for Youth on their 25th anniversary.

2/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 010387 [Commendation]
Supervisors Leno, Maxwell, Newsom, Peskin, Gonzalez, McGoldrick, Sandoval

Resolution commending the Friends of the Urban Forest on their 20th anniversary.

2/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 010388 [Commendation]
Supervisors Leno, Newsom

Resolution commending Muscle Systems Civic Center Gym for over twenty years of service to the community.
2/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

- 010389 [Grant Building]
Supervisor Daly

Hearing to explore whether Seligman Western Enterprises, the out-of-state owners of the Grant Building at 1095 Market Street, received special consideration from the City in any way.
2/26/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

- 010390 [Labor Standards and Prevailing Wages]
Supervisor Daly

Hearing to review the City's enforcement of Labor Standards and Prevailing Wages at job sites in San Francisco, and to consider additional ways to strengthen this enforcement.
2/26/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

- 010391 [Information technology and City's web site]
Supervisor Daly

Hearing to explore ways to improve the information technology of San Francisco and the City's web site.
2/26/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

- 010392 [San Francisco Housing Authority]
Supervisor Gonzalez

Hearing to consider San Francisco Housing Authority criteria for supporting, establishing or defunding resident self sufficiency programs.
2/26/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

Motions

- 010393 [Legislative Analyst Request]
Supervisor McGoldrick

Motion asking the Legislative Analysts to provide the cost and feasibility of providing a written report summarizing the testimony and evidence compiled during and the conclusions resulting from committee hearings on matters of significant public policy.
2/26/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration March 5, 2001.

010394 [Legislative Analyst Request]
Supervisor Peskin

Motion asking the Legislative Analysts to assess the impacts of rescinding the Gross Receipts Tax on the City's budget and its current programs and to explore alternate means of collecting revenue from corporations doing business in the City and County of San Francisco.

2/26/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration March 5, 2001.

010395 [Legislative Analyst Request]
Supervisors Hall, Newsom

Motion asking the Legislative Analysts to compare San Francisco's zoning appeal process and planning code with the City of Milwaukee's zoning appeal process, zoning code, and planning code.

2/26/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration March 5, 2001.

010396 [Office of District Community Services]
Supervisor Ammiano

Motion directing the Clerk of the Board of Supervisors to organize and staff an Office of District Community Services.

2/26/01, RECEIVED AND ASSIGNED to Rules Committee.

010366 [Orderly Transition of Board Members]

Motion amending the Rules of Order of the Board of Supervisors of the City and County of San Francisco to add Rule 6.2, which would allow for an orderly transition of outgoing and newly elected members of the Board of Supervisors. (Clerk of the Board)

2/26/01, RECEIVED AND ASSIGNED to Rules Committee.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

010314 [Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of City and County of San Francisco against Main Street California dba TGI Friday's for \$1,300,000. (City Attorney)

(S.F. Superior Court No. 997-764; eminent domain action commenced on September 10, 1998 entitled "City and County of San Francisco v. WCB More II Ltd. Partnership, et al.)

2/21/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

010353 [Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of San Mateo County Transit District against City and County of San Francisco for \$18,638,562 plus interest. (City Attorney)

(Superior Court No. 405-695; date action filed: July 28, 1998.)

2/21/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

- 010354 [Settlement of litigation involving the condemnation by SamTrans and BART of the City's water pipeline easement for the BART SFO extension] .
Ordinance authorizing settlement of litigation of San Mateo County Transit District against City and County of San Francisco by an exchange of easements and the relocation of the City's water pipeline. (City Attorney)

(San Mateo Superior Court No. 406-647; date action filed: July 28, 1998.)

2/21/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

- 010360 [Zoning Map Amendment - Arco Way]
Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Section Map 11, to change the use district designation of Assessor's Block 3154, Lots 24, 25, 26, 27, 28, 32, 37, 38, 39, and 51 on Arco Way from P (Public District) to RH-1 (Residential, House, One-Family District) and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

(Planning Commission Resolution No. 16058 adopted December 14, 2000 recommending adoption of the amendment (Case No. 200.052RZ) as presented in the proposed ordinance; Planning Commission Motion No. 16057 affirming the decision to issue a Negative Declaration, as prepared by the Planning Department and amended on December 14, 2000; Negative Declaration adopted and issued December 14, 2000.)

2/20/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

- 010362 [Ordering Street Vacation, Mid-Embarcadero Roadway Project]
Ordinance ordering the vacation of portions of the Embarcadero and Folsom Streets between Howard and Harrison Streets in connection with the Mid-Embarcadero Roadway Project; establishing conditions for the effectiveness of the vacation; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1 and the applicable Redevelopment Plan Area; ratifying acts and authorizing actions in furtherance of the ordinance. (Port)

2/21/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

PROPOSED RESOLUTIONS

- 010319 [Easement deed, City owned property in Alameda County]
Resolution authorizing and approving the granting of easement rights over City owned real property known as Parcels 1224(2), 1272, and a portion of Parcel 1271(3) of Bay Division Pipeline Nos. 1 and 2 right of way and a portion of abandoned Chestnut Street in Newark, Alameda County ("City's Property") to Enterprise Drive LLC ("Grantee"). (Real Estate Department)

2/15/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

- 010351 [Grant to acquire compressed natural gas (CNG) light duty, high mileage vehicles for permitted airport operators]
Supervisors Newsom, Leno

Resolution authorizing the Airport Commission to accept and expend a grant in the amount of \$100,000 from the Bay Area Air Quality Management District (Air District) for acquisition of compressed natural gas (CNG) vans by Airport permittees. (Airport Commission)

2/21/01, RECEIVED AND ASSIGNED to Finance Committee.

- 010352 [Grant to acquire compressed natural gas (CNG) light duty vehicles for permitted airport operators]
Supervisors Newsom, Leno

Resolution authorizing the Airport Commission to accept and expend a grant in the amount of \$99,000 from the Bay Area Air Quality Management District (Air District) for acquisition of compressed natural gas (CNG) autos and vans by Airport permittees. (Airport Commission)

2/21/01, RECEIVED AND ASSIGNED to Finance Committee.

- 010355 [Lease Amendment, 1650 Mission Street]

Resolution authorizing an amendment to lease real property at 1650 Mission Street for the Department of Aging and Adult Services. (Real Estate Department)

(Fiscal impact.)

2/21/01, RECEIVED AND ASSIGNED to Finance Committee.

- 010356 [TRW Contract Modification No. 6 - Software and Professional Services for the Combined Emergency Communication Center]

Resolution authorizing the E-911 Project Director to execute a modification to the contract with TRW in the amount of \$536,210. (Mayor)

(Fiscal impact.)

2/21/01, RECEIVED AND ASSIGNED to Finance Committee.

- 010361 [Street Vacation Intent, Mid-Embarcadero Roadway Project]

Resolution declaring the intention of the Board of Supervisors to vacate portions of the Embarcadero and Folsom Streets between Howard and Harrison Streets in connection with the Mid-Embarcadero Roadway Project; setting the hearing date for all persons interested in the proposed vacation of the street areas; and adopting findings that the vacation is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1 and the applicable Redevelopment Plan Area. (Port)

2/21/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

- 010364 [Gift Acceptance, DPH-San Francisco General Hospital]

Resolution authorizing the Department of Public Health, San Francisco General Hospital, to accept and expend a gift bequeathed to San Francisco General Hospital from the estate of Lemar Hoaglin. (Public Health Department)

2/21/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

Requests Granted

From: Supervisor McGoldrick

To: All City Departments

Requesting/Inquiring: Requesting all city departments to provide the Board with a copy of their original 2001/02 proposed budget requests, their current draft 2001/02 budget requests, including their descriptions of plans and programs and summaries prepared for the 2001/02 budget.

From: Supervisor McGoldrick

To: All City departments

Requesting/Inquiring: Requesting that all city departments for which a performance audit has been requested in the past ten years report on how their department has responded to the audit and otherwise significantly improved efficiencies in their department.

From: Supervisor Newsom

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Inquires about the following:

- 1. The status of the University Terrace permit parking to exclude dormitory students from parking there; and*
- 2. The size of the signage at Laguna and Washington Streets; whether that signage is standard size and whether it could be made bigger.*

From: Supervisors Sandoval, Gonzalez

To: City Attorney

Requesting/Inquiring: To draft legislation requiring utility companies such as PG&E to place liens on the residences of customers who are unable to pay their bills, in lieu of interrupting service to those customers.

From: Supervisor Yee

To: Director, Department of Public Health

Requesting/Inquiring: To provide a comparison analysis of the air pollution created by the options of immediately purchasing diesel buses to replace the aging bus fleet or deferring new bus purchase until clean natural gas vehicles can be acquired.

Due: March 5, 2001

From: Supervisor Yee

To: General Manager, Muni

Requesting/Inquiring: To investigate and report on the feasibility of purchasing smaller buses to run during low usage hours of operation in order to increase energy efficiency and reduce costs of operation.

From: Supervisor Ammiano

To: City Attorney

Requesting/Inquiring: To draft legislation, including amendments to the Rules of Order of the Board of Supervisors, to impose term limits for citizen service on boards and commissions.

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft legislation to protect public housing tenants by requiring one-for-one replacement for public housing units and other protections.

From: Supervisor Daly

To: Director, Purchasing Department

Requesting/Inquiring: To investigate and report on the City's enforcement of labor standards and prevailing wages at job sites in San Francisco, and asking for recommendations on additional ways to strengthen their enforcement.

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft legislation to establish a Citywide Technology Policy.

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft legislation to assess sewer rates for Single Room Occupancy (SRO) hotels comparable to residential apartment buildings, not tourist hotels, as is currently the case.

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft legislation to exempt Single Room Occupancy (SRO) hotels from Hotel Tax.

From: Supervisors Daly, Hall, Peskin

To: City Attorney

Requesting/Inquiring: To draft legislation to enact Proposition K policies (1998) with regard to Treasure Island.

From: Supervisor Gonzalez

To: City Attorney

Requesting/Inquiring: To draft legislation protecting art spaces as defined in Planning Code Section 102.2 by amending the Planning Code to create a special class for non-profit arts organizations.

From: Supervisors Hall, Leno, Peskin

To: Publisher, Official Tourist Guide to San Francisco

Requesting/Inquiring: Inquires about the following:

- a. Why is the Holocaust Memorial, located at the Legion of Honor, excluded from the official tourist guide?*
- b. What can be done to remedy this situation in future official tourist guides to San Francisco?*

From: Supervisor Leno

To: All City Departments

Requesting/Inquiring: That all City departments submit a list of items they intend to bring before the Finance Committee that may require any type of retroactive approval of funds, and encourage them to bring forth any such items as soon as possible to avoid delaying or jeopardizing Finance Committee approval.

From: Supervisor Maxwell

To: Director, Department of Public Health

Requesting/Inquiring: To report on the department's plan to address the health and environmental needs of the residents of Bayview Hunters Point, particularly those items outlined in Dr. Katz's presentation before the Health Commission in February 2001.

Due: March 27, 2001

From: Supervisor Maxwell

To: City Attorney

Requesting/Inquiring: To draft legislation appropriating \$160,000 from the General Fund Reserve to engage in a one-year contract with a registered environmental health specialist for all City and County of San Francisco Federal and State Superfund sites.

This position will monitor all Federal and State sites located within the City and County of San Francisco, serve as the community liaison and provide community notification in event of emergency at these sites, and identify other possible Superfund sites. He/she will report to the Department of Public Health and appear at all appropriate Board of Supervisors Public Health and Environment Committee meetings.

Due: March 12, 2001

From: Supervisor Maxwell

To: City Attorney

Requesting/Inquiring: To draft legislation whereby all vehicles transporting dirt or any substance that releases airborne particulate matter are covered on all City and County of San Francisco streets.

Due: March 19, 2001

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Robert Scott (Supervisor Maxwell)

Raymond F. Harless (Supervisor Hall)

Terrence O'Flaherty (Supervisors Peskin, Hall)

Eileen Murphy (By the entire Board)

All City and County of San Francisco residents who have died of cancer, asthma or other illness caused by preventable environmental conditions. (Supervisor Maxwell)

ADJOURNMENT

There being no further business, the Board at the hour of 7:03 p.m adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 2, 2001.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689*

MEETING MINUTES

Monday, March 5, 2001 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

TOM AMMIANO, PRESIDENT

*CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE MCGOLDRICK, GAVIN NEWSOM
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE*

Gloria L. Young, Clerk of the Board

DOCUMENTS DEPT.

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BOARD COMMITTEES

Committee Membership

Audit, Labor and Government Efficiency Committee

Supervisors Newsom, Daly, McGoldrick

City and School District Committee

Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynn, Commissioner Mar

Economic Vitality, Small Business and Social Policy Committee

Supervisors Sandoval, Newsom, Maxwell

Finance Committee

Supervisors Leno, Peskin, Gonzalez

Housing, Transportation and Land Use Committee

Supervisors McGoldrick, Daly, Peskin

Neighborhood Services and Parks Committee

Supervisors Yee, Hall, Sandoval

Public Health and Environment Committee

Supervisors Maxwell, Yee, Leno

Public Utilities and Deregulation Committee

Supervisors Daly, Gonzalez, Ammiano

Rules Committee

Supervisors Gonzalez, Hall, Ammiano

Meeting Days

2nd & 4th Tuesday
1:00 PM

Call of the Chair

1st & 3rd Tuesday
10:00 AM

Wednesday
10:00 AM

2nd & 4th Thursday
1:00 PM

1st & 3rd Tuesday
1:00 PM

2nd & 4th Tuesday
10:00 AM

Call of the Chair

1st & 3rd Thursday
1:00 PM

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:01 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Daly, Gonzalez, Newsom, Yee - 4.

Quorum present.

Supervisor Daly was noted present at 2:02 p.m.

Supervisor Gonzalez was noted present at 2:03 p.m.

Supervisor Newsom was noted present at 2:02 p.m.

Supervisor Yee was noted present at 2:04 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Newsom, seconded by Supervisor Leno, moved to APPROVE the January 16, 2001 Meeting Minutes. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 2 - Gonzalez, Yee

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued or considered differently.

Supervisor Peskin indicated the matter relating to Library fines and fees, File 002067. (See infra.)

Supervisor Gonzalez indicated the matters relating to Controller's audit of Marina Yacht Harbor, contingent fee agreement in electric power litigation, lead litigation contingency fee agreement; Files 001638, 010201, 010202. (See infra.)

CONSENT AGENDA

Recommendation of the Audit, Labor and Government Efficiency Committee

010220 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Donald Herbert Holcomb against the City and County of San Francisco for \$1,125,000.00; the lawsuit was filed on September 19, 1999 in San Francisco, Case No. 309395; entitled Donald Herbert Holcomb, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

Recommendation of the Finance Committee

**010061 [Substance Abuse and Crime Prevention Trust Fund and Designation of Lead Agency]
Mayor, Supervisors Newsom, Maxwell, Hall, McGoldrick, Daly, Leno, Peskin**

Ordinance adding Section 10.100-221 of the San Francisco Administrative Code establishing fund for deposit of sums received under the Substance Abuse and Crime Prevention Act of 2000, and designating the Department of Public Health as the lead agency for administration of the fund.

Ordinance No. 30-01

FINALLY PASSED

**010272 [Appropriation, funding for earthquake relief to El Salvador]
Mayor, Supervisors Sandoval, Newsom**

Ordinance appropriating \$100,000 from the General Fund Reserve for the Salvadorian Emergency Committee to provide earthquake relief for fiscal year 2000-01.

Supervisor Newsom requested to be added as co-sponsor.

Ordinance No. 36-01

FINALLY PASSED

010223 [Transfer of state funds to improve access to mental health treatment for children in foster care and other children placed outside of San Francisco]

Resolution endorsing the transfer of state general funds from the state to the California Mental Health Directors Association for a contract to provide services to foster care and other Medi-Cal eligible children placed outside of San Francisco. (Public Health Department)

Resolution No. 191-01

ADOPTED

Recommendations of the Housing, Transportation and Land Use Committee

- 002155** [Parking regulations to modify approved Residential Permit Parking Regulations for a portion of the Potrero Hill Neighborhood]
Resolution rescinding and enacting various Residential Parking Regulations for a portion of the Potrero Hill Neighborhood. (Parking and Traffic Department)

(DPT Order No. 2116.)

Resolution No. 182-01
ADOPTED

- 002158** [Stop Intersections]
Resolution designating and rescinding certain intersections as "STOP" intersections:

STOP SIGNS - ESTABLISH

27th and Douglass Streets, northwest and southeast corners, stopping Douglass Street (makes this an all-way STOP)

5th Avenue and Cabrillo Street, northeast and southwest corners, stopping Cabrillo Street (makes this an all-way STOP)

Cesar Chavez and Douglass Streets, all corners, stopping all approaches (makes this uncontrolled T-intersection an all-way STOP)

STOP SIGN - RESCIND

25th and Connecticut Streets, northwest corner, stopping southbound Connecticut Street (Parking and Traffic Department)

(DPT Order No. 2120.)

Resolution No. 183-01
ADOPTED

- 002160** [Traffic Regulations, Various Streets]
Resolution enacting and rescinding traffic regulations on various streets.

RIGHT TURN ONLY - ESTABLISH

Franklin Street, southbound, at Lombard Street

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

California Street, north side, from Montgomery Street to 31 feet westerly (31-foot zone)

TOW-AWAY, NO STOPPING, 4 PM - 6 PM, MONDAY THROUGH FRIDAY - RESCIND

California Street, north side, from Montgomery Street to 124 feet westerly (124-foot zone) (Parking and Traffic Department)

(DPT Order No. 2120.)

Resolution No. 185-01
ADOPTED

010032 [Stop Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

15th Avenue and Ortega Street, northwest and southeast corners, stopping 15th Avenue (makes this an all-way STOP)

Bradford and Mojave Streets, all corners, stopping all approaches (makes this uncontrolled intersection an all-way STOP)

Bronte and Jarboe Streets, all corners, stopping all approaches (makes this uncontrolled intersection an all-way STOP)

Putnam and Jarboe Streets, all corners, stopping all approaches (makes this uncontrolled intersection an all-way STOP)

Foerster Street and Joost Avenue, northwest and southeast corners, stopping Foerster Street (makes this an all-way STOP)

Naples Street and Seville Street/Brunswick Street, northwest and southeast corners, stopping Naples Street (makes this an all-way STOP)

Pierce Street and Capra Way, northwest and southeast corners, stopping Pierce Street (makes this an all-way STOP)

Somerset and Campbell Streets, southwest corner, stopping eastbound Campbell Street (stops one leg of this Y-intersection) (Parking and Traffic Department)

(DPT Order No. 2140.)

Resolution No. 186-01

ADOPTED

010033 [Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - ESTABLISH

Crestmont Drive, south side, from the extension of the east property line of #409/#411 Crestmont Drive to approximately 145 feet westerly (145-foot zone)

NO PARKING ANYTIME - RESCIND**TAXI ZONE - ESTABLISH**

Dr. Carlton B. Goodlett Place (Polk Street), east side, from 300 feet to 330 feet north of Grove Street (30-foot zone)

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Waller Street, south side, between Divisadero and Scott Streets

RESIDENTIAL PERMIT PARKING AREA "I" (1-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

26th Street, south side, between Folsom and Harrison Streets (3100 block, odd-numbered addresses only)
Cesar Chavez Street, north side, between Folsom and Harrison Streets (3100 block, even-numbered addresses only)

Folsom Street, east side, between 26th and Cesar Chavez Streets (3000 block, odd-numbered addresses only)
Harrison Street, west side, between 26th and Cesar Chavez Streets (3000 block, even-numbered addresses only)
Kamille Court, both sides, between Folsom and Harrison Streets (3100 block)
Treat Way, both sides, between 26th and Cesar Chavez Streets (1300 and 1400 blocks)

RESIDENTIAL PERMIT PARKING AREA "I" - ESTABLISH

2677 Mission Street, east side, between 22nd and 23rd Streets (adds specified address only)

RESIDENTIAL PERMIT PARKING AREA "F" (2-HOUR TIME LIMIT, 9 AM - 4 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**RESIDENTIAL PERMIT PARKING AREA "F" (3-HOUR TIME LIMIT, 9 AM - 4 PM, MONDAY THROUGH FRIDAY) - RESCIND**

Arguello Boulevard, east side, between Jackson and Washington Streets (unit block, even-numbered addresses only)
Cherry Street, both sides, between West Pacific Avenue and Washington Street (unit and 100 blocks)
Jackson Street, both sides, between Arguello Boulevard and Maple Street (3700 and 3800 blocks)
Maple Street, both sides, between West Pacific Avenue and Washington Street (unit and 100 blocks)

RESIDENTIAL PERMIT PARKING AREA "G" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Gough Street, west side, between Post and Sutter Streets (1400 block, odd-numbered addresses only)
Post Street, north side, from Gough Street to 118 feet westerly (#1400-#1410, even-numbered addresses only)
Sutter Street, south side, between Gough and Octavia Streets (1500 block, odd-numbered addresses only)

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Lily Street, both sides, from Buchanan Street to west terminus (400 block)

RESIDENTIAL PERMIT PARKING AREA "W" (1-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

26th Street, both sides, between Florida and Alabama Streets (3000 block)

DIAGONAL (60-DEGREE ANGLE) PARKING - RESCIND

Golden Gate Avenue, south side, from Roselyn Terrace to 30 feet easterly (30-foot zone, eliminates 3 parking

UNMETERED MOTORCYCLE PARKING - RESCIND

Golden Gate Avenue, south side, from 53.5 feet to 60.5 feet west of Roselyn Terrace (7-foot zone accommodating 2 motorcycle stalls, to be relocated and expanded)

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Golden Gate Avenue, south side, from Roselyn Terrace to 22 feet westerly (22-foot zone accommodating 6 motorcycle stalls) (Parking and Traffic Department)

(DPT Order No. 2140.)

Resolution No. 187-01

ADOPTED

Recommendation of the Neighborhood Services and Parks Committee

002064 [Conservatory of Flowers Contracts]
Supervisor Newsom

Ordinance authorizing the Director of Public Works to limit competitive bidding of contracts to a group of pre-qualified contractors for the rehabilitation and upgrading of the Golden Gate Park Conservatory of Flowers.

Ordinance No. 37-01

FINALLY PASSED

Recommendation of the Rules Committee

010010 [Ban on old-growth wood]
Supervisors Katz, Bierman, Leno, Newsom

Ordinance amending San Francisco Administrative Code by reenacting Chapter 12I which prohibits the City from using, requisitioning or purchasing any tropical hardwoods, tropical hardwood products, virgin redwood, or virgin redwood products.

(Reenacts Sections 12I.1 through 12I.11.)

Ordinance No. 38-01

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

REGULAR AGENDA**UNFINISHED BUSINESS**

Recommendations of the Audit, Labor and Government Efficiency Committee**001638 [Controller's Audit, Marina Yacht Harbor]
Supervisor Newsom**

Resolution urging the Recreation and Park Department to implement, with all due haste, the recommendations stemming from the Controller's 2000 San Francisco Marina Small Craft Harbor Report.

(Supervisor McGoldrick dissenting in committee)

Resolution No. 181-01

ADOPTED by the following vote:

Ayes: 8 - Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee

Noes: 3 - Ammiano, Gonzalez, Sandoval

010201 [Contingency Fee Agreement in Electric Power Litigation]

Resolution approving contingency fee agreement in People of the State of California by and through San Francisco City Attorney Louise H. Renne v. Dynegy Power Marketing, Inc., et al.; requiring reports from the City Attorney. (City Attorney)

Resolution No. 189-01

ADOPTED by the following vote:

Ayes: 8 - Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee

Noes: 3 - Ammiano, Gonzalez, Sandoval

010202 [Lead Litigation Contingency Fee Agreement]

Resolution approving contingency fee agreement in County of Santa Clara, et al. v. Atlantic Richfield Company, et al.; requiring report from the City Attorney. (City Attorney)

Resolution No. 190-01

ADOPTED by the following vote:

Ayes: 8 - Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee

Noes: 3 - Ammiano, Gonzalez, Sandoval

Recommendation of Finance and Labor Committee**002067 [Library Fines and Fees]**

Ordinance amending the San Francisco Administrative Code by adding Section 8.21-2 to authorize the Library Commission to charge certain fines and fees for the use of library materials and services and ratifying prior fines and fees. (Public Library)

(Supervisor Gonzalez dissenting in Committee.)

Supervisor Peskin requested this matter be continued to March 12, 2001.

Supervisor Peskin, seconded by Supervisor Leno, moved that this Ordinance be CONTINUED ON FIRST

READING. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendation of Housing, Transportation and Land Use Committee

001007 [Administrative Code Chapter 31]
Supervisors Peskin, Maxwell

Ordinance repealing Administrative Code Chapter 31 and enacting new Administrative Code Chapter 31 to adopt procedures and fees to implement the California Environmental Quality Act.

(Repeals and enacts new Administrative Code Chapter 31.)

(From Planning Commission Resolution No. 16012 adopted October 26, 2000, recommending that the Board of Supervisors adopt the proposed changes to Administrative Code Chapter 31.)

Ordinance No. 40-01

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

NEW BUSINESS

From Audit, Labor and Government Efficiency Committee "Without Recommendation"

010225 [Western Systems Power Pool]
Mayor, Supervisor Newsom

Ordinance amending Ordinance No. 54-92 to increase the authority of the Public Utilities Commission to approve agreements with the Western System Power Pool from one year to periods not to exceed five years.

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of the Finance Committee

010208 [Government funding, Hetch Hetchy's power purchases]

Ordinance appropriating \$25,400,000 of Hetch Hetchy Operating Fund to fund the purchase of power to meet municipal and contractual obligations for fiscal year 2000-01; placing \$1,781,912 on reserve. (Controller)

(Fiscal impact.)

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 1 - Yee

**010270 [Appropriation, funding for earthquake relief to India]
Mayor, Supervisors Peskin, Newsom**

Ordinance appropriating \$100,000 from the General Fund Reserve for the Indo-American Trade and Commerce Council's Gujarat Earthquake Relief Fund for fiscal year 2000-01.

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 1 - Yee

**010273 [Appropriation, funding the increase of services of the Budget Analyst]
Supervisors Ammiano, Gonzalez, Hall**

Ordinance appropriating \$218,208 of the General Reserve Fund to fund the increase of services provided by the Board of Supervisors' Budget Analyst for fiscal year 2000-01.

(Fiscal impact.)

Supervisor Hall requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 1 - Yee

Recommendations of the Housing, Transportation and Land Use Committee

**001901 [Speed limit reduction, portion of Brazil and Persia Avenues]
Supervisors Newsom, Hall, Sandoval**

Ordinance amending the San Francisco Traffic Code, lowering the speed limit on portions of Brazil and Persia Avenue, from 30 MPH to 25 MPH. (Parking and Traffic Department)

(DPT Order No. 2096.)

Supervisor Hall requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 1 - Yee

**001903 [Commercial vehicle weight restriction on portion of Mendell Street]
Supervisors Newsom, Sandoval**

Ordinance adding Section 28.5.52 to the San Francisco Traffic Code, establishing a commercial vehicle weight restriction on a portion of Mendell Street. (Parking and Traffic Department)

(DPT Order No. 2095.)

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 1 - Yee

**010078 [Speed limit regulations along Alemany Boulevard]
Supervisors Newsom, Sandoval**

Ordinance amending the San Francisco Traffic Code, clarifying the speed limit regulations for Alemany Boulevard. (Parking and Traffic Department)

(DPT Order No. 2144)

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

010250 [Building Code amendment, exiting from Group R occupancy buildings]

Ordinance amending Section 1004.2.3.2 of the San Francisco Building Code by repealing Exception 7 dealing with exiting from Group R occupancy buildings. (Building Inspection Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

002159 [Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 7 AM - 7 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Clayton Street, both sides, between 17th and Ashbury Streets (1100 block)

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Alma Street, both sides, between Shrader and Stanyan Streets (200 block)
Lawton Street, both sides, between 9th and 10th Avenues (300 block)

NO PARKING ANYTIME - ESTABLISH
Mendell Street, east side, from Armstrong Avenue to north terminus

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Armstrong Avenue, south side, from Mendell Street to 65 feet easterly (65-foot zone)
Mendell Street, along north terminus, north of Armstrong Avenue (45-foot zone)
Mendell Street, west side, from Armstrong Avenue to north terminus (200-foot zone) (Parking and Traffic Department)

(DPT Order No. 2120.)

Resolution No. 184-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

010034 [Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets.

MULTIPLE LEFT TURN LANES - ESTABLISH

Front Street, northbound, at Pine Street (mandatory left turn from two left lanes)

NO RIGHT TURNS, 6 AM - 9 AM, MONDAY THROUGH FRIDAY, EXCEPT TAXIS - ESTABLISH

Marina Boulevard, eastbound, at Baker Street

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Drumm Street, east side, from Market Street to 70 feet northerly (70-foot zone)

Front Street, west side, from Market Street to 22 feet northerly (22-foot zone at meter #1)

King Street, north side, from 7th Street to 310 feet westerly (310-foot zone)

TOW-AWAY, NO STOPPING, 3 PM - 6 PM, MONDAY THROUGH FRIDAY - RESCIND**TOW-AWAY, NO STOPPING, 7 AM - 9 AM AND 3 PM - 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH**

Front Street, east side, from Pine Street to 86 feet southerly (86-foot zone)

Front Street, west side, between Market and Pine Streets (Parking and Traffic Department)

(DPT Order No. 2140.)

Resolution No. 188-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 1 - Yee

Recommendation of the Public Health and Environment Committee**010163 [Clean Ferries]**

Supervisors Newsom, Gonzalez, Leno, Maxwell, Hall, Peskin

Resolution urging the Golden Gate National Recreation Area (GGNRA) and all other ferry operators to pursue cleaner marine technologies, adopt diesel emissions reduction strategies, and develop alternative fuel and ferry design demonstration projects; further urging the Bay Area Water Transit Authority (BAWTA) to establish a cleaner marine technology committee to seek financing for and develop a natural gas demonstration vessel and an alternative fuel ferry plan.

Supervisors Hall, Peskin requested to be added as co-sponsors.

Resolution No. 207-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 1 - Yee

Recommendation of the Public Utilities and Deregulation Committee

010279 [KPFA Radio Station]
Supervisors Gonzalez, Daly, Peskin

Resolution urging the Executive Committee of the Pacifica National Board to cease efforts which undermine KPFA's content and programming, democratically restructure the Pacifica Radio Network, and demand that Pacifica guarantee in writing that KPFA will not be sold without the overwhelming approval and consent of KPFA's subscribers, supporters and staff.

Supervisor Peskin requested to be added as co-sponsor.

Resolution No. 192-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

Appointment of President Pro Tempore

At the request of the President, Supervisors Gonzalez and Daly assumed the Chair for a brief period, at different times.

The President resumed the Chair shortly thereafter.

PUBLIC COMMENT

Abdalla Megahed, Arab-American holiday;

Eula Walters, supports Ferry Park;

Linda Susan Ulrich, supports resolution to free Lori Berenson;

Father Kirk Ullery, urge consideration of quality of life issues in Bayview Hunters Point;

Steve Currier, quality of life issues;

Bruce Allison, urge Hetch Hetchy to consider hiring from disabled community; install and monitor meters in parking lots;

Theo Carol, discrimination;

Marie Harrison, oppose diesel buses;

Male speaker, female speaker, female speaker, Sister Marie, supports Archbishop Oscar Romero Day;

Bruce Windrem, need for evaluation of shelters, alcohol and drug programs;

Edmund, density study, include housing in each development, need better bus schedule communication.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

**010393 [Legislative Analyst Request]
Supervisor McGoldrick**

Motion asking the Legislative Analysts to provide the cost and feasibility of providing a written report summarizing the testimony and evidence compiled during and the conclusions resulting from committee hearings on matters of significant public policy.

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Maxwell

**010394 [Legislative Analyst Request]
Supervisor Peskin**

Motion asking the Legislative Analysts to assess the impacts of rescinding the Gross Receipts Tax on the City's budget and its current programs and to explore alternate means of collecting revenue from corporations doing business in the City and County of San Francisco.

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Maxwell

**010395 [Legislative Analyst Request]
Supervisors Hall, Newsom**

Motion asking the Legislative Analysts to compare San Francisco's zoning appeal process and planning code with the City of Milwaukee's zoning appeal process, zoning code, and planning code.

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Maxwell

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

010081 [Existing Litigation]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the plaintiffs and claimants, various businesses, are, in sum, challenging the constitutionality of the City's business taxing system. These plaintiffs and claimants are also seeking reimbursement of tax payments made to the City:

Eastman Kodak Company v. San Francisco
San Francisco Superior Court No. 302-983
Date filed: 4/22/99

General Motors Corporation v. San Francisco
San Francisco Superior Court No. 301-510

EOP-580 California Street, L.L.C., et al. v. San Francisco
San Francisco Superior Court No. 315-704

General Motors Corporation, et al. v. San Francisco
San Francisco Superior Court No. 312-487

Hewlett-Packard, et al. v. San Francisco
San Francisco Superior Court No. 306-787

The Neiman Marcus Group, Inc. v. San Francisco
San Francisco Superior Court No. 310-061

Panther Creek Leasing, Inc. et al. v. San Francisco
San Francisco Superior Court No. 307-873

Providian Financial Corporation, et al. v. San Francisco
San Francisco Superior Court No. 316-461

Signature Network, Inc., et al. v. San Francisco
San Francisco Superior Court No. 312-489

Union Pacific Railroad Co., et al. v. San Francisco
San Francisco Superior Court No. 309-421

Various other related cases and claims against San Francisco filed by other businesses.

This closed session would be permitted by Government Code Section 54956.9(c), and San Francisco Administrative Code Section 67.10(d). (City Attorney)

(February 5, 2001 - Supervisor Newsom excused from voting on this matter.)

Supervisor Daly, seconded by Supervisor Yee, moved to convene in closed session. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Excused: 1 - Newsom

Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee.
Supervisor Newsom was excused from voting. See February 5, 2001 Meeting Minutes.

City Attorney Louise H. Renne;

Controller Ed Harrington;

Treasurer Susan Leal;

Outside Counsel Karen Snell;

Deputy City Attorney: Julie Van Nostern, Joe Quinn, Malcom Carson, Owen Martikan, Tom Owen, Ted Lakey;

Clerk of the Board Gloria L. Young;

Deputy Clerk Jean Lum.

Closed Session Tape No. 01 008.

HEARD IN CLOSED SESSION.

Recess

The Board recessed at the hour of 4:39 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 4:55 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present: Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval - 9.

Noted absent: Supervisors Newsom, Yee - 2.

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board of Supervisors has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (c) and San Francisco Administrative Code Section 67.10(d) for the purpose of conferring with, or receiving advice from, the City Attorney regarding the above pending litigation.

The meeting was informational only and no action was taken.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Supervisor Gonzalez, seconded by Supervisor Hall, moved to not disclose its closed session deliberations. The motion carried by the following vote:

Ayes: 7 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin

Noes: 2 - Daly, Sandoval

Absent: 1 - Yee

Excused: 1 - Newsom

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

010376 [U.S. Census litigation]

Supervisors Yee, Ammiano, Sandoval, Leno, Hall

Resolution urging the City Attorney to seek leave of court to permit the City to participate in the litigation challenging the new U.S. Commerce Department rule.

Supervisors Sandoval, Leno, Hall requested to be added as co-sponsors.

Resolution No. 193-01

ADOPTED

010377 [Federal ban on project labor agreements]

Supervisors Ammiano, Daly

Resolution urging President Bush to rescind his executive order banning Project Labor Agreements (PLAs) on all construction projects involving federal money and affirming the City and County of San Francisco's support of PLAs as a useful tool for safeguarding fair and equitable labor practices.

Supervisor Daly requested to be added as co-sponsor.

Resolution No. 194-01

ADOPTED

010378 [TEFRA Public Hearing Approval]

Supervisor Daly

Resolution authorizing the execution and delivery of certificates of participation by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$7,500,000 for Golden Gate Council of American Youth Hostels, Inc., or an affiliate.

Resolution No. 195-01

ADOPTED

010379 [Permanent Partner Immigration Act]
Supervisors Leno, Ammiano, Gonzalez, Maxwell, McGoldrick, Daly, Newsom

Resolution urging the United States Congress to adopt the "Permanent Partner Immigration Act" in the next Congressional session, which would add the term "permanent partner" to section of immigration law that provides immigration rights to legally married couples, and would allow gay and lesbian citizens to sponsor their partners as U.S. residents.

Supervisors Daly, Newsom requested to be added as co-sponsors.

Resolution No. 196-01

ADOPTED

010380 [Legal Immigrant Family Equality Act]
Supervisors Leno, Sandoval, Gonzalez, Maxwell, McGoldrick, Daly, Newsom

Resolution urging the United States Congress to extend the "Legal Immigrant Family Equality Act" after its April 30th termination, allowing spouses and children of applicants for Immigrant Visas to continue to hold temporary visas while applications for Immigrant Visas are being processed.

Supervisors Daly, Newsom requested to be added as co-sponsors.

Resolution No. 197-01

ADOPTED

010381 [Warren Alquist Act, power plants]
Supervisors Maxwell, Daly, Peskin

Resolution urging State Senators John Burton and Jackie Speier, Assemblywoman Carole Migden, and Assemblyman Kevin Shelley to ensure that there is no amendment to the Warren-Alquist Act that would weaken the City's or its citizens' right to act as an intervenor in the California Energy Commission (CEC) certification process of new or expanded power plants.

Supervisors Daly, Peskin requested to be added as co-sponsors.

Resolution No. 198-01

ADOPTED

010382 [Emission Reduction Credits]
Supervisors Maxwell, Daly, Peskin, Leno

Resolution urging the Bay Area Quality Management District (BAAQMD) to reject application by Pacific Gas and Electric (PG&E) to acquire Interchangeable Emission Reduction Credits for the Hunters Point and Potrero Hill Power Plants.

Supervisors Daly, Peskin, Leno requested to be added as co-sponsors.

Resolution No. 199-01

ADOPTED

**010383 [Power plant certification]
Supervisors Maxwell, Daly**

Resolution urging Governor Gray Davis to ensure that all environmental, health and safety, and public participation regulations are maintained in the California Energy Commission (CEC) certification process of new or expanded power plants.

Supervisor Daly requested to be added as co-sponsor.

Resolution No. 200-01

ADOPTED

**010384 [Commendation]
Supervisor McGoldrick**

Resolution commending the Lysaya Children's Dance Ensemble for its continued pursuit of intercultural understanding and international good will.

Resolution No. 201-01

ADOPTED

**010385 [Proclamation]
Supervisors Ammiano, Daly, Hall**

Resolution expressing profound gratitude to Archbishop Romero for the humanity he invoked in all of us, and declaring March 24, 2001 to be Archbishop Oscar Arnulfo Romero Day.

Supervisors Daly, Hall requested to be added as co-sponsors.

Resolution No. 202-01

ADOPTED

**010386 [Commendation]
Supervisors Leno, Daly, Hall, Gonzalez, Sandoval, McGoldrick, Peskin, Newsom**

Resolution commending Coleman Advocates for Youth on their 25th anniversary.

Supervisors Peskin, Newsom requested to be added as co-sponsors.

Resolution No. 203-01

ADOPTED

**010387 [Commendation]
Supervisors Leno, Maxwell, Newsom, Peskin, Gonzalez, McGoldrick, Sandoval**

Resolution commending the Friends of the Urban Forest on their 20th anniversary.

Resolution No. 204-01

ADOPTED

**010388 [Commendation]
Supervisors Leno, Newsom**

Resolution commending Muscle Systems Civic Center Gym for over twenty years of service to the community.

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 205-01

ADOPTED

010397 [Final Map for a 152 Unit Mixed Use Condominium Project]

Motion approving Final Map of Pacific Place (1701 Jackson Street, 1800 Washington Street and 1901 Van Ness Avenue), a Mixed-Use Condominium Project, being a Subdivision of Lot 128, Assessor's Block No. 599, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

Motion No. M01-26

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Severed From For Adoption Without Committee Reference Agenda

**010317 [Workers Compensation benefits for California employees]
Supervisor Peskin**

Resolution urging the California State Legislature pass, and Governor Davis sign, Senate Bill 71.

Supervisor Peskin requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Peskin moved to continue consideration to March 19, 2001.

Supervisor Peskin, seconded by Supervisor Hall, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee

Absent: 1 - Newsom

**010375 [Norcal bulk item collection]
Supervisors McGoldrick, Hall**

Resolution urging the Department of Public Works to require that Norcal Systems resume regularly scheduled collection of bulk items and urging DPW to negotiate for the inclusion of a commitment to such regular bulk item collection as a part of their contract with the City of San Francisco.

Supervisor McGoldrick requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Hall requested to be added as co-sponsor.

Supervisor McGoldrick requested this matter be sent to committee.

REFERRED to the Public Health and Environment Committee.

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Yee, seconded by Supervisor Sandoval, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yee, seconded by Supervisor Sandoval, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

Imperative Resolutions

010407 [Commendation] Supervisor Daly

Resolution commending the peaceful March for Dignity of the Zapatista Delegation to Mexico City on March 11, 2001.

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

**010408 [Commendation]
Supervisors Leno, Maxwell, McGoldrick**

Resolution commending Pets Are Wonderful Support (PAWS) and declaring March 9, 2001 "Petchitecture 2001 Day" in San Francisco.

Resolution No. 206-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee

Absent: 1 - Newsom

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**002196 [Information on general advertising sign]
Supervisors Leno, Bierman**

Ordinance amending the San Francisco Planning Code by adding Section 604.1 to require general advertising signs to bear the name of the sign company, permit number and permitted sign dimensions, requiring existing signs to comply within six months with two six-month extensions allowed at the Planning Director's discretion, and establishing an additional penalty of \$1,000 a day for providing materially false, inaccurate or misleading information on the sign.

From Planning Commission Resolution No. 16112 adopted 3/15/01 recommending adoption of the proposed ordinance. Certificate of Determination of Exemption/Exclusion from Environmental Review dated 02/02/01. 12/18/00, ASSIGNED UNDER 30 DAY RULE to Transportation and Land Use Committee, expires on 1/17/2001. 12/20/00 - Transmitted to Planning Commission for public hearing and recommendation.

2/1/01, TRANSFERRED to Housing, Transportation and Land Use Committee. New committee structure.

3/5/01, SUBSTITUTED. Supervisor Leno submitted a substitute ordinance bearing new title.

3/5/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 4/4/2001. 3/09/01 - Substitute ordinance transmitted to Planning Commission for public hearing and recommendation.

**010409 [Equal Access to Services]
Supervisors Leno, Gonzalez, Sandoval, Yee, Ammiano**

Draft ordinance amending San Francisco Administrative Code by adding Chapter 89 to require City departments to offer bilingual services and materials if a substantial or concentrated portion of the public utilizing their services does not speak English effectively because it is not their primary language.

3/5/01, RECEIVED AND ASSIGNED to Rules Committee.

Resolutions**010410 [Release of Lori Berenson]
Supervisors Daly, Gonzalez, Leno**

Resolution urging the Peruvian government to release Lori Berenson and allow her to return to the United States immediately; calling upon the appropriate committees to investigate potential legislative remedies to be in effect until Ms. Berenson is released; and calling on President George W. Bush to do everything.

3/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010411 [Lesbian, Gay, Bisexual and Transgender Judges]
Supervisors Daly, Leno, Ammiano**

Resolution urging Governor Gray Davis to combat homophobia in the judicial system by appointing qualified lesbian, gay, bisexual and transgender Californians as judges.

3/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010412 [Funding for affordable housing]
Supervisors Daly, Sandoval**

Resolution endorsing the Senior Action Network's Two Bits for Housing campaign, and urging Mayor Brown to include General Fund support in the amount of \$36,000,000 for new affordable housing development in the City's Fiscal Year 2001-2002 budget.

3/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010413 [Domestic Partner Ceremony]
Supervisors Leno, Ammiano, McGoldrick, Maxwell**

Resolution authorizing the County Clerk to issue honorary certificates of commitment to each of the domestic partnership couples that participates in the March 29, 2001 domestic partnership ceremony who do not qualify for official domestic partnership certificates because of their residence and/or work status and authorizing the County Clerk to accept donations made to the City and County of San Francisco for these honorary certificates by persons participating in the domestic partnership ceremony.

3/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010414 [State legislation, SB 987, Bilingual Services Act]
Supervisors Leno, Gonzalez, Sandoval, Yee, Newsom**

Resolution urging the California legislature to pass Senate Bill 987 to amend the Dymally-Alatorre Bilingual Services Act and to budget sufficient funds to ensure that state and local agencies charged with implementing the provisions of the Dymally-Alatorre Bilingual Services Act have the financial resources to do so.

3/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010415 [State Legislation, ABX1 1, solar and wind power]
Supervisors Leno, Newsom**

Resolution urging the California State Legislature to pass ABX1 1 which will raise the threshold for net metering eligibility from 10 kilowatts to 1 megawatt to increase incentives for larger solar and wind power systems in California.

3/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010416 [Zellerbach Family Fund, family literacy program]
Supervisors Maxwell, Newsom**

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of \$32,900 from the Zellerbach Family Fund for providing a family literacy program for women prisoners in the county jail.

3/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010417 [Riordan High School]
Supervisors Newsom, Hall, Leno**

Resolution congratulating Riordan high school varsity basketball team on its win of the West Catholic Athletic League title and the CCS-division 3 title.

3/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**010418 [Bay Bridge Retrofit Project]
Supervisors Peskin, Ammiano**

Hearing to review the City of San Francisco's coordination efforts with the California Department of Transportation regarding the seismic retrofit on the western span of the San Francisco Bay Bridge. This hearing will address the timeline for project construction, transportation mitigation measures planned during construction, and the role of local transportation agencies in these mitigation efforts.

3/5/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010419 [Tule Elk Park]
Supervisor Ammiano**

Hearing to consider the Tule Elk Park.

3/5/01, RECEIVED AND ASSIGNED to City and School District Committee.

**010420 [Urban Pioneer Program]
Supervisor Ammiano**

Hearing to consider the Urban Pioneer Program.

3/5/01, RECEIVED AND ASSIGNED to City and School District Committee.

010421 [Public Comment]
Supervisor Gonzalez

Hearing to discuss the public's participation during the public comment portion of the Board of Supervisors and committee meetings.

3/5/01, RECEIVED AND ASSIGNED to Rules Committee.

010422 [Golden Gate Park Stables]
Supervisors Hall, McGoldrick

Hearing to consider the proposed solutions to the potential loss of services on September 30, 2001, of "Golden Gate Park Stables", a private company, that leases the horse stables at the Polo Fields in Golden Park and operates numerous horse riding activities for the residents of San Francisco.

3/5/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

010423 [Affordable Housing Efforts]
Supervisors McGoldrick, Gonzalez, Ammiano

Hearing to consider reports from each department, with responsibilities related to the development of housing in San Francisco, concerning existing efforts to create affordable housing in our City and possible policy options to increase the number of such units, particularly for families, seniors, and the disabled.

3/5/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

Motions

010424 [Legislative Analyst Request]
Supervisors Newsom, Hall

Motion asking the Legislative Analyst to study Municipal Power Authorities in other jurisdictions so that it may be compared and contrasted with the Municipal Utility District measure on the November Ballot.

3/5/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration March 12, 2001.

010425 [Legislative Analyst Request]
Supervisors Maxwell, Leno, Newsom

Motion asking the Legislative Analyst to research the use and impact of diesel fuel in the City and County of San Francisco, and to research possible alternatives to diesel use.

3/5/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration March 12, 2001.

010428 [Legislative Analyst Request]
Supervisor Leno

Motion asking the Legislative Analyst to report on the amounts, types and sources of funds given by selected California municipalities to other municipalities around the world that have been hit by earthquakes, as well as any criteria they use to determine which cities to aid and to what degree.

3/5/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration March 12, 2001.

**010426 [Extending Time for Negotiations - Employee Relations Division]
Supervisor Newsom**

Motion extending time for negotiations pursuant to Charter Section 11.100.

3/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010440 [Increase of Services of the Budget Analyst for fiscal year 2000-2001]

Motion amending the Agreement for Professional Budget Analyst Services between the City and County of San Francisco and Stanton W. Jones and Associates/Debra A. Newman/Rodriguez, Perez, Delgado & Company Certified Public Accountants/Harvey M. Rose Accountancy Corporation Certified Public Accountants/Mah & Louie Certified Public Accountants - ("A Joint Venture"), to increase the level of service for Fiscal Year 2000-2001 by \$218,208. (Clerk of the Board)

(Fiscal impact.)

3/5/01, RECEIVED AND ASSIGNED to Finance Committee.

**010427 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Yee, Leno, Peskin, McGoldrick**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

3/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

**010367 [MOU Amendment No. 1 - Carpenters, Local Union No. 22]
Supervisor Newsom**

Ordinance implementing Amendment No. 1 to the 1997-2001 Memorandum of Understanding between the Carpenters, Local Union No. 22 and the City and County of San Francisco by appending the following list of past practices pursuant to Article VI.C. of the Memorandum of Understanding. (Human Resources Department)
2/23/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

PROPOSED RESOLUTIONS

010402 [Pre-Tax Payroll Deduction Plan]

Resolution allowing additional payroll deductions from salary to be pre-tax in accordance with CalPERS retirement plan requirements. (Human Resources Department)
2/23/01, RECEIVED AND ASSIGNED to Finance Committee.

Requests Granted

From: Supervisors Peskin, Ammiano, Gonzalez

To: City Attorney

Requesting/Inquiring: To draft legislation prohibiting former Supervisors from lobbying any representative of City government for a period of two years, including departmental employees and commission appointees.

From: Supervisor Ammiano

To: Clerk, Board of Supervisors

To: Director, Department of Telecommunications and Information Services

Requesting/Inquiring: To draft letter to AT&T/TCI Cable inquiring why there is an observed rate disparity between different neighborhoods.

From: Supervisor Daly

To: Director, Planning Department

Requesting/Inquiring: Requesting copies of all correspondence and/or planning activities (with a summary attached) concerning the North Mission Industrial Protection Zone (NEMIZ).

From: Supervisors Hall, Gonzalez

To: District Attorney

Requesting/Inquiring: To investigate and report on basic pedestrian safety statistics, including:

- 1. What percentage of pedestrian accidents are the result of driver error and what percentage of pedestrian accidents are the result of pedestrian error?*
- 2. What process is in place to track repeat traffic offenders?*
- 3. What can be done to improve this process?*

From: Supervisors Hall, Gonzalez

To: Chief, Police Department

Requesting/Inquiring: To investigate and report on basic pedestrian safety statistics, including what percentage of pedestrian accidents are the result of driver error and what percentage of pedestrian accidents are the result of pedestrian error?

From: Supervisors Leno, Maxwell, Gonzalez

To: City Attorney

Requesting/Inquiring: To draft legislation to authorize the Planning Department to issue permits for the use of diesel generators in San Francisco including any necessary provisions for emergency services.

From: Supervisor Leno

To: Controller

Requesting/Inquiring: To investigate and report on the current balance of our General Fund Reserve account, and all requests for supplemental appropriations that the Board of Supervisors has approved in the past three fiscal years.

From: Supervisor Leno

To: Director, Adult Probation Department

To: Director, Department of Consumer Assurance

To: Director, Department of Elections

To: Director, Department of Human Services

To: Director, Department of Parking and Traffic

To: Director, Department of Public Health

To: Director, Department of Public Transportation

To: District Attorney

To: Director, Emergency Communications Department

To: Chief, Police Department

To: Public Defender

To: Public Administrator/Guardian

To: Director, Rent Stabilization and Arbitration Board

To: Sheriff

Requesting/Inquiring: Requesting a response to survey from the following department heads: Adult Probation Department; Department of Consumer Assurance; Department of Elections; Department of Human Services; Department of Parking and Traffic; Department of Public Health; Department of Public Transportation; District Attorney's Office; Emergency Communications Department; Police Department; Public Defender's Office; Public Administrator/Guardian; Rent Stabilization and Arbitration Board; and Sheriff's Office regarding how accessible city services are to residents who are not fluent in English (survey attached). The Board of Supervisors would like to find out how accessible city services are to residents who are not fluent in English. As of 1999, the U.S. Census estimates that approximately 26% of San Francisco's residents are limited English proficient, and this population is expected to grow. Both federal and state laws require that the city make its services accessible to residents who are not fluent in English. To ensure compliance with these laws, Supervisor Leno has introduced the Equal Access to Services (EAS) ordinance at the Board of Supervisors. The purpose of this survey is to determine how well city departments currently serve this population, with a focus on which documents have been translated into Chinese and Spanish. We anticipate that any new costs associated with this ordinance will involve translating written documents. Tier One departments are required to translate:

- Applications or forms to participate in a department's program or activity or to receive its benefits or services.
- Written notices of rights, determinations of eligibility, award, denial, loss, or decreases in benefits or services, including the right to appeal any department's decision.
- Written tests that do not assess English language competency, but test competency for a particular license or skill for which knowledge of written English is not required.
- Notices advising limited English Proficient persons of free language assistance.
- Materials explaining a department's services or programs.
- Complaint forms.
- Any other written documents that have the potential for important consequences for an individual seeking services from or participating in a program of a city department.
- Meeting announcements, agendas, and minutes are exempt from the translation requirement. All departments have a one-year period to comply with the proposed ordinance.

From: Supervisor Newsom

To: Director, Airport

Requesting/Inquiring: Inquiring whether it will consider peak-time pricing as recently enacted at New York's LaGuardia Airport as a means of airline demand management. Further, informing the Airport that this topic will be of interest during the pending committee hearing examining how to reduce the flight delays at San Francisco International Airport.

From: Supervisor Newsom

To: City Attorney

Requesting/Inquiring: To draft legislation similar to Chicago's that codifies the creation of neighborhood taxis and includes a ground transportation tax credit program for operating in under served areas.

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Dr. Carolyn Piel (Supervisor Hall)

ADJOURNMENT

There being no further business, the Board at the hour of 4:57 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 9, 2001.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689*

MEETING MINUTES

DOCUMENTS DEPT.

Monday, March 12, 2001 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular meeting

JUL 16 2001

SAN FRANCISCO
PUBLIC LIBRARY

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE

Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Audit, Labor and Government Efficiency Committee

Supervisors Newsom, Daly, McGoldrick

City and School District Committee

Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynns, Commissioner Mar

Economic Vitality, Small Business and Social Policy Committee

Supervisors Sandoval, Newsom, Maxwell

Finance Committee

Supervisors Leno, Peskin, Gonzalez

Housing, Transportation and Land Use Committee

Supervisors McGoldrick, Daly, Peskin

Neighborhood Services and Parks Committee

Supervisors Yee, Hall, Sandoval

Public Health and Environment Committee

Supervisors Maxwell, Yee, Leno

Public Utilities and Deregulation Committee

Supervisors Daly, Gonzalez, Ammiano

Rules Committee

Supervisors Gonzalez, Hall, Ammiano

Meeting Days

2nd & 4th Tuesday
1:00 PM

Call of the Chair

1st & 3rd Tuesday
10:00 AM

Wednesday
10:00 AM

2nd & 4th Thursday
1:00 PM

1st & 3rd Tuesday
1:00 PM

2nd & 4th Tuesday
10:00 AM

Call of the Chair

1st & 3rd Thursday
1:00 PM

Members Present: Tom Ammiano, Matt Gonzalez, Mark Leno, Sophie Maxwell, Gavin Newsom, Aaron Peskin, Leland Y. Yee.

Members Absent: Chris Daly, Tony Hall, Jake McGoldrick, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:04 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Daly, Hall, McGoldrick, Newsom, Sandoval - 5.

Quorum present.

Supervisor Daly was excused. (See infra.)

Supervisor Hall was excused. (See infra.)

Supervisor McGoldrick was excused. (See infra.)

Supervisor Newsom was noted present at 2:17 p.m.

Supervisor Sandoval was excused. (See infra.)

Supervisors Daly, Hall, McGoldrick and Sandoval Excused from Attendance

Supervisor Leno, seconded by Supervisor Peskin, moved to excuse Supervisors Daly, Hall, McGoldrick and Sandoval from attending today's meeting. The motion carried by the following vote:

Ayes: 6 - Ammiano, Gonzalez, Leno, Maxwell, Peskin, Yee

Absent: 5 - Daly, Hall, McGoldrick, Newsom, Sandoval

APPROVAL OF MEETING MINUTES

Supervisor Peskin, seconded by Supervisor Leno, moved to APPROVE the January 22 and January 29, 2001 Meeting Minutes. The motion carried by the following vote:

Ayes: 6 - Ammiano, Gonzalez, Leno, Maxwell, Peskin, Yee

Absent: 5 - Daly, Hall, McGoldrick, Newsom, Sandoval

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled or considered differently.

Supervisor Peskin indicated the matter relating to business tax litigation, File 010434. (See infra.)

Supervisor Leno indicated the matter relating to library fines and fees, File 002067. (See infra.)

Supervisor Yee indicated the matter relating to commending Elaine Chao, File 010184. (See infra.)

CONSENT AGENDA

Recommendations of the Audit, Labor and Government Efficiency Committee

010220 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Donald Herbert Holcomb against the City and County of San Francisco for \$1,125,000.00; the lawsuit was filed on September 19, 1999 in San Francisco, Case No. 309395; entitled Donald Herbert Holcomb, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 45-01
FINALLY PASSED

010225 [Western Systems Power Pool] Mayor, Supervisor Newsom

Ordinance amending Ordinance No. 54-92 to increase the authority of the Public Utilities Commission to approve agreements with the Western System Power Pool from one year to periods not to exceed five years.

Ordinance No. 39-01
FINALLY PASSED

Recommendations of the Finance Committee

010208 [Government funding, Hetch Hetchy's power purchases]

Ordinance appropriating \$25,400,000 of Hetch Hetchy Operating Fund to fund the purchase of power to meet municipal and contractual obligations for fiscal year 2000-01; placing \$1,781,912 on reserve. (Controller)

(Fiscal impact.)

Ordinance No. 44-01
FINALLY PASSED

**010270 [Appropriation, funding for earthquake relief to India]
Mayor, Supervisors Peskin, Newsom**

Ordinance appropriating \$100,000 from the General Fund Reserve for the Indo-American Trade and Commerce Council's Gujarat Earthquake Relief Fund for fiscal year 2000-01.

Ordinance No. 47-01

FINALLY PASSED

**010273 [Appropriation, funding the increase of services of the Budget Analyst]
Supervisors Ammiano, Gonzalez, Hall**

Ordinance appropriating \$218,208 of the General Reserve Fund to fund the increase of services provided by the Board of Supervisors' Budget Analyst for fiscal year 2000-01.

(Fiscal impact.)

Ordinance No. 48-01

FINALLY PASSED

**010204 [Lease of Property for the Visitacion Valley Branch Library]
Resolution authorizing the lease of real property at 45 Leland Avenue for the Library. (Real Estate Department)**

Resolution No. 211-01

ADOPTED

Recommendations of the Housing, Transportation and Land Use Committee

**001901 [Speed limit reduction, portion of Brazil and Persia Avenues]
Supervisors Newsom, Hall, Sandoval**

Ordinance amending the San Francisco Traffic Code, lowering the speed limit on portions of Brazil and Persia Avenue, from 30 MPH to 25 MPH. (Parking and Traffic Department)

(DPT Order No. 2096.)

Supervisor Sandoval requested to be added as co-sponsor.

Ordinance No. 41-01

FINALLY PASSED

**001903 [Commercial vehicle weight restriction on portion of Mendell Street]
Supervisors Newsom, Sandoval**

Ordinance adding Section 28.5.52 to the San Francisco Traffic Code, establishing a commercial vehicle weight restriction on a portion of Mendell Street. (Parking and Traffic Department)

(DPT Order No. 2095.)

Supervisor Sandoval requested to be added as co-sponsor.

Ordinance No. 42-01

FINALLY PASSED

**010078 [Speed limit regulations along Alemany Boulevard]
Supervisors Newsom, Sandoval**

Ordinance amending the San Francisco Traffic Code, clarifying the speed limit regulations for Alemany Boulevard. (Parking and Traffic Department)

(DPT Order No. 2144)

Supervisor Sandoval requested to be added as co-sponsor.

**Ordinance No. 43-01
FINALLY PASSED**

010250 [Building Code amendment, exiting from Group R occupancy buildings]

Ordinance amending Section 1004.2.3.2 of the San Francisco Building Code by repealing Exception 7 dealing with exiting from Group R occupancy buildings. (Building Inspection Department)

**Ordinance No. 46-01
FINALLY PASSED**

Recommendations of the Rules Committee

010263 [Appointment]

Resolution appointing Levi Rena Stolove, LeChara Johnson, and Melenie Eleneke, terms ending June 1, 2002, to the Transgender Civil Rights Implementation Task Force; residency requirement waived.

(Levi Rena Stolove, succeeding L. J. Irving, [Seat 8, must be a member of the transgender community] for unexpired portion of a two-year term ending June 1, 2002;
LeChara Johnson, succeeding Jo Ellen Fisher, [Seat 9, must be a member of the transgender community] for unexpired portion of a two-year term ending June 1, 2002;
Melenie Eleneki (residency requirement waived), succeeding Dominique Rosa Leslie, [Seat 11, must be a member of the transgender community] for unexpired portion of a two-year term ending June 1, 2002.)

**Resolution No. 215-01
ADOPTED**

010264 [Appointment]

Resolution appointing Leon Winston, term ending October 1, 2001, to the Drug Abuse Advisory Board.

(Leon Winston, succeeding Marillac Mayorga, [Seat 3, must represent the public at large] for the unexpired portion of a three-year term ending October 1, 2001.)

**Resolution No. 216-01
ADOPTED**

010311 [Appointment]

Resolution appointing Carla Hollis, term ending January 31, 2003, and Michael Thompson, term ending January 31, 2005, to the Veterans Affairs Commission.

(Carla Hollis, succeeding Leonard Grube, [Seat 1, must be a member at-large] for the unexpired portion of a four-year term ending January 31, 2003;
Michael Thompson, succeeding Veronika Cauley, [Seat 2, must be a member at-large] for a new four-year term ending January 31, 2005.)

Resolution No. 217-01

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 6 - Ammiano, Gonzalez, Leno, Maxwell, Peskin, Yee

Absent: 5 - Daly, Hall, McGoldrick, Newsom, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Finance Committee

002067 [Library Fines and Fees]

Ordinance amending the San Francisco Administrative Code by adding Section 8.21-2 to authorize the Library Commission to charge certain fines and fees for the use of library materials and services and ratifying prior fines and fees. (Public Library)

(Supervisor Gonzalez dissenting in Committee.)

Supervisor Gonzalez, seconded by Supervisor Yee, moved that the Board take public comment on this matter, concerning additional information submitted by the Library, at the March 19, 2001 Board meeting.

There being no objection, motion adopted.

Supervisor Leno requested this matter be continued to March 19, 2001.

Supervisor Leno, seconded by Supervisor Peskin, moved that this Ordinance be CONTINUED ON FIRST READING. The motion carried by the following vote:

Ayes: 6 - Ammiano, Gonzalez, Leno, Maxwell, Peskin, Yee

Absent: 5 - Daly, Hall, McGoldrick, Newsom, Sandoval

NEW BUSINESS

Recommendations of the Finance Committee

- 010276 [Appropriation, funding various streets and roads rehabilitation project]
Mayor, Supervisor Newsom**

Ordinance appropriating \$9,021,349 to fund various local streets and roads rehabilitation projects for the Department of Public Works for fiscal year 2000-01.

(Fiscal impact.)

PASSED, ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Gonzalez, Leno, Maxwell, Peskin, Yee

Absent: 5 - Daly, Hall, McGoldrick, Newsom, Sandoval

- 010315 [Appropriation, funding for the emergency physician services to indigent persons]
Supervisors Leno, Newsom**

Ordinance appropriating \$1,203,219 of Emergency Medical Services Appropriation (EMSA) funds to provide emergency physician services to indigent persons to the Department of Public Health for fiscal year 2000-01. (Public Health Department)

(Fiscal impact.)

PASSED, ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Gonzalez, Leno, Maxwell, Peskin, Yee

Absent: 5 - Daly, Hall, McGoldrick, Newsom, Sandoval

- 002187 [Contract between the Dept. of Public Health and Health Advocates, LLP to provide uncompensated care recovery services]**

Resolution authorizing the Director of Public Health and the Purchaser to execute a contract between the City and County of San Francisco and Health Advocates, LLP to provide uncompensated care recovery services. (Public Health Department)

Resolution No. 208-01

ADOPTED by the following vote:

Ayes: 6 - Ammiano, Gonzalez, Leno, Maxwell, Peskin, Yee

Absent: 5 - Daly, Hall, McGoldrick, Newsom, Sandoval

010221 [Establishing monthly contributions to Health Service System by the City and County, Unified School District, and Community College]

Resolution establishing monthly contribution amount to Health Service Trust Fund. (Human Resources Department)

The Clerk stated this matter requires 9 votes for passage and should be continued to March 19, 2001.

Supervisor Leno, seconded by Supervisor Peskin, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 6 - Ammiano, Gonzalez, Leno, Maxwell, Peskin, Yee

Absent: 5 - Daly, Hall, McGoldrick, Newsom, Sandoval

Recommendations of the Economic Vitality, Small Business and Social Policy Committee**010035 [Liquor License, 2496 3rd Street]**

Resolution determining that the issuance of a Type 48 on-sale general public premises liquor license in exchange for a Type 47 on-sale general eating place liquor license to Michael D. Apicelli for the Dogpatch Saloon located at 2496 3rd Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

Resolution No. 209-01

ADOPTED by the following vote:

Ayes: 7 - Ammiano, Gonzalez, Leno, Maxwell, Newsom, Peskin, Yee

Absent: 4 - Daly, Hall, McGoldrick, Sandoval

010159 [State grant, Long Term Care Innovation]

Supervisor Newsom

Resolution authorizing the Department of Aging and Adult Services to accept and expend a grant in the amount of \$1,711,753 from the California Department of Aging to develop a web-based information system for integrating community-based long term care services. (Adult and Aging Services)

Resolution No. 210-01

ADOPTED by the following vote:

Ayes: 7 - Ammiano, Gonzalez, Leno, Maxwell, Newsom, Peskin, Yee

Absent: 4 - Daly, Hall, McGoldrick, Sandoval

010184 [Commendation]

Supervisors Yee, Hall

Resolution commending Elaine Chao for her continued work on behalf of Asian Americans and her new position as Secretary of Labor.

Supervisor Yee requested this matter be continued to March 19, 2001.

Supervisor Yee, seconded by Supervisor Leno, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Gonzalez, Leno, Maxwell, Newsom, Peskin, Yee

Absent: 4 - Daly, Hall, McGoldrick, Sandoval

010258 [Grant funds for Juvenile Probation's Repeat Offender Prevention Program]

Resolution authorizing the Chief Probation Officer for the Juvenile Probation Department to accept and expend a supplemental grant in the amount of Four Hundred Eighty-Three Thousand Seven Hundred Fifty Two Dollars (\$483,752), from the State of California Board of Corrections for the Repeat Offender Prevention Program. (Juvenile Probation Department)

Resolution No. 212-01

ADOPTED by the following vote:

Ayes: 7 - Ammiano, Gonzalez, Leno, Maxwell, Newsom, Peskin, Yee
Absent: 4 - Daly, Hall, McGoldrick, Sandoval

010259 [Contract with California Youth Authority for Diagnostic and Treatment Services for Juvenile Wards of the Court]

Resolution authorizing the Chief Probation Officer of the Juvenile Probation Department to renew a contract with the California Youth Authority for diagnostic and treatment services and for temporary detention not to exceed 90 days. (Juvenile Probation Department)

Resolution No. 213-01

ADOPTED by the following vote:

Ayes: 7 - Ammiano, Gonzalez, Leno, Maxwell, Newsom, Peskin, Yee
Absent: 4 - Daly, Hall, McGoldrick, Sandoval

010260 [Contract with California Youth Authority for Emergency Services for Juvenile Wards of the Court]

Resolution authorizing the Chief Probation Officer of the Juvenile Probation Department to renew a contract with the California Youth Authority for emergency custody of juvenile wards of the Court from the County of San Francisco. (Juvenile Probation Department)

Resolution No. 214-01

ADOPTED by the following vote:

Ayes: 7 - Ammiano, Gonzalez, Leno, Maxwell, Newsom, Peskin, Yee
Absent: 4 - Daly, Hall, McGoldrick, Sandoval

Recommendation of Neighborhood Services and Parks Committee**001758 [Underground District No. 357]**

Supervisors Yee, Newsom

Ordinance creating Underground District No. 357 on lower Great Highway from Sloat Boulevard to Taraval Street.

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 7 - Ammiano, Gonzalez, Leno, Maxwell, Newsom, Peskin, Yee
Absent: 4 - Daly, Hall, McGoldrick, Sandoval

Recommendation of Rules Committee**010312 [Appointment]**

Resolution appointing Supervisor Chris Daly, term ending February 1, 2005, to the Bay Area Air Quality Management District Board of Directors.

(Supervisor Chris Daly, vacant seat, [Seat No. 2, must be a member of the Board of Supervisors or the Mayor] for a new four year term ending February 1, 2005.)

Resolution No. 218-01

ADOPTED by the following vote:

Ayes: 7 - Ammiano, Gonzalez, Leno, Maxwell, Newsom, Peskin, Yee

Absent: 4 - Daly, Hall, McGoldrick, Sandoval

PUBLIC COMMENT

Abdalla Megahed, animal care, homeless issue;

Eula Walters, keep Davis Street closed, suggest alternative route;

Ollie Duffy, in favor of special elections to fill vacancies;

Ernestine Weiss, oppose live-work low density housing, supports high density housing, more senior housing, oppose Davis Street opening;

James Pye, urge more housing;

Anna Donally, supports more lesbian, gays, transgender in the judicial system;

Female speaker, traffic patterns;

Robert Pender, Park Merced tenant, submitting remarks made in committee in writing;

Edmund, religious rights of homeless persons;

Dr. Galen Maria Christina, need for housing;

Gilbert Criswell, supports Naked Supervisor Day, conduct of City Attorney's office;

Norman Rolfe, supports keeping Davis Street closed;

Male speaker, single room occupancy tenant, general assistance funding;

Roger Brennan, opposes office development in South of Market.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

**010424 [Legislative Analyst Request]
Supervisors Newsom, Hall**

Motion asking the Legislative Analyst to study Municipal Power Authorities in other jurisdictions so that it may be compared and contrasted with the Municipal Utility District measure on the November Ballot.

APPROVED by the following vote:

Ayes: 6 - Ammiano, Gonzalez, Leno, Maxwell, Newsom, Peskin
Absent: 5 - Daly, Hall, McGoldrick, Sandoval, Yee

**010425 [Legislative Analyst Request]
Supervisors Maxwell, Leno, Newsom**

Motion asking the Legislative Analyst to research the use and impact of diesel fuel in the City and County of San Francisco, and to research possible alternatives to diesel use.

Supervisor Newsom requested to be added as co-sponsor.

APPROVED by the following vote:

Ayes: 6 - Ammiano, Gonzalez, Leno, Maxwell, Newsom, Peskin
Absent: 5 - Daly, Hall, McGoldrick, Sandoval, Yee

**010428 [Legislative Analyst Request]
Supervisor Leno**

Motion asking the Legislative Analyst to report on the amounts, types and sources of funds given by selected California municipalities to other municipalities around the world that have been hit by earthquakes, as well as any criteria they use to determine which cities to aid and to what degree.

APPROVED by the following vote:

Ayes: 6 - Ammiano, Gonzalez, Leno, Maxwell, Newsom, Peskin
Absent: 5 - Daly, Hall, McGoldrick, Sandoval, Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

**010410 [Release of Lori Berenson]
Supervisors Daly, Gonzalez, Leno**

Resolution urging the Peruvian government to release Lori Berenson and allow her to return to the United States immediately; calling upon the appropriate committees to investigate potential legislative remedies to be in effect until Ms. Berenson is released; and calling on President George W. Bush to do everything.

Resolution No. 219-01

ADOPTED

**010411 [Lesbian, Gay, Bisexual and Transgender Judges]
Supervisors Daly, Leno, Ammiano**

Resolution urging Governor Gray Davis to combat homophobia in the judicial system by appointing qualified lesbian, gay, bisexual and transgender Californians as judges.

Resolution No. 220-01

ADOPTED

010412 [Funding for affordable housing]
Supervisors Daly, Sandoval

Resolution endorsing the Senior Action Network's Two Bits for Housing campaign, and urging Mayor Brown to include General Fund support in the amount of \$36,000,000 for new affordable housing development in the City's Fiscal Year 2001-2002 budget.

Supervisor Sandoval requested to be added as co-sponsor.

Resolution No. 227-01

ADOPTED

010413 [Domestic Partner Ceremony]
Supervisors Leno, Ammiano, McGoldrick, Maxwell

Resolution authorizing the County Clerk to issue honorary certificates of commitment to each of the domestic partnership couples that participates in the March 29, 2001 domestic partnership ceremony who do not qualify for official domestic partnership certificates because of their residence and/or work status and authorizing he County Clerk to accept donations made to the City and County of San Francisco for these honorary certificates by persons participating in the domestic partnership ceremony.

Supervisors Newsom, Peskin requested to be added as co-sponsors.

Resolution No. 221-01

ADOPTED

010414 [State legislation, SB 987, Bilingual Services Act]
Supervisors Leno, Gonzalez, Sandoval, Yee, Newsom

Resolution urging the California legislature to pass Senate Bill 987 to amend the Dymally-Alatorre Bilingual Services Act and to budget sufficient funds to ensure that state and local agencies charged with implementing the provisions of the Dymally-Alatorre Bilingual Services Act have the financial resources to do so.

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 222-01

ADOPTED

010415 [State Legislation, ABX1 1, solar and wind power]
Supervisors Leno, Newsom

Resolution urging the California State Legislature to pass ABX1 1 which will raise the threshold for net metering eligibility from 10 kilowatts to 1 megawatt to increase incentives for larger solar and wind power systems in California.

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 223-01

ADOPTED

**010416 [Zellerbach Family Fund, family literacy program]
Supervisors Maxwell, Newsom**

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of \$32,900 from the Zellerbach Family Fund for providing a family literacy program for women prisoners in the county jail.

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 224-01

ADOPTED

**010417 [Riordan High School]
Supervisors Newsom, Hall, Leno**

Resolution congratulating Riordan high school varsity basketball team on its win of the West Catholic Athletic League title and the CCS-division 3 title.

Resolution No. 225-01

ADOPTED

**010426 [Extending Time for Negotiations - Employee Relations Division]
Supervisor Newsom**

Motion extending time for negotiations pursuant to Charter Section 11.100.

Motion No. M01-27

APPROVED

**010427 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Yee, Leno, Peskin, McGoldrick**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M01-28

APPROVED

010430 [Final Map of a new 26 unit Live/Work Condominium Project]

Motion approving Final Map of 2130 Harrison Street, a Live/Work Condominium Project, being a subdivision of Lot 25, Assessor's Block No. 3573, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,824.)

Motion No. M01-29

APPROVED

010431 [Final Map for a 16 unit Live/Work Condominium Project]

Motion approving Final Map of 1000 Pennsylvania Avenue, a Live/Work Condominium Project, being a subdivision of Lot 42, Assessor's Block No. 4224, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,821.)

Motion No. M01-30

APPROVED

010432 [Final Map of a new 10 unit Residential/Commercial Condominium Project]

Motion approving Final Map of 3439 Sacramento Street, a Residential/Commercial Condominium Project, being a subdivision of Lot 47, Assessor's Block No. 1020, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,823.)

Motion No. M01-31

APPROVED

010435 [Final Map, Planned Development, Mission Bay]

Motion approving Final Map, Planned Development, Mission Bay (Blocks N3 and N3A), an 11 Lot Subdivision, being Phase 1 of a Subdivision of Lot 1 in Assessor's Blocks 8704, 8705, 8707 and 8708 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Mission Bay North Redevelopment Plan and Plan Documents. (Public Works Department)

(DPW Order No. 172,820.)

Motion No. M01-32

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 6 - Ammiano, Gonzalez, Leno, Maxwell, Newsom, Peskin

Absent: 5 - Daly, Hall, McGoldrick, Sandoval, Yee

Severed From For Adoption Without Committee Reference Agenda**010434 [Business tax litigation between the City and various plaintiffs]**

Supervisor Peskin

Motion approving in principle settlement of business tax litigation between the City and various plaintiffs.

Supervisor Peskin requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Peskin, seconded by Supervisor Leno, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 6 - Ammiano, Gonzalez, Leno, Maxwell, Newsom, Peskin

Absent: 5 - Daly, Hall, McGoldrick, Sandoval, Yee

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Leno, seconded by Supervisor Peskin, moved ADOPTION of the serious injury finding. The motion carried by the following vote:

Ayes: 6 - Ammiano, Gonzalez, Leno, Maxwell, Newsom, Peskin

Absent: 5 - Daly, Hall, McGoldrick, Sandoval, Yee

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Maxwell, seconded by Supervisor Newsom, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 6 - Ammiano, Gonzalez, Leno, Maxwell, Newsom, Peskin

Absent: 5 - Daly, Hall, McGoldrick, Sandoval, Yee

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Leno, seconded by Supervisor Peskin, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 6 - Ammiano, Gonzalez, Leno, Maxwell, Newsom, Peskin

Absent: 5 - Daly, Hall, McGoldrick, Sandoval, Yee

Imperative Resolutions

010450 [Davis Street Opening] Supervisors Peskin, Leno, Ammiano

Resolution urging the Department of Public works to delay construction related to the opening of Davis Street until March 26, 2001, during which time the City Attorney is requested to determine whether the deletion of this project from Embarcadero Roadway Project will sacrifice State and Federal funding to the City and County of San Francisco.

Supervisors Peskin, Leno and Ammiano presented for immediate adoption.

Supervisor Leno moved technical amendment to page one, line 17, to correct the word "being" to read "begin".

Supervisor Leno, seconded by Supervisor Peskin, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 6 - Ammiano, Gonzalez, Leno, Maxwell, Newsom, Peskin
Absent: 5 - Daly, Hall, McGoldrick, Sandoval, Yee

Resolution No. 228-01

ADOPTED AS AMENDED by the following vote:

Ayes: 6 - Ammiano, Gonzalez, Leno, Maxwell, Newsom, Peskin
Absent: 5 - Daly, Hall, McGoldrick, Sandoval, Yee

010451 [Proclamation] Supervisors Maxwell, Leno

Resolution declaring March 15, 2001 as "Urban Girls Services Day" in San Francisco.

Resolution No. 226-01

ADOPTED by the following vote:

Ayes: 6 - Ammiano, Gonzalez, Leno, Maxwell, Newsom, Peskin
Absent: 5 - Daly, Hall, McGoldrick, Sandoval, Yee

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

- 010437** [Settlement of business tax lawsuits; authorization to make binding settlement offers; authorization to settle unlitigated claims]
Supervisors Peskin, Leno, Hall, McGoldrick, Maxwell, Yee

Ordinance authorizing settlement of the lawsuits filed by Eastman Kodak Company and General Motors Corporation versus the City and County of San Francisco by payment of a total amount not to exceed \$129,000, plus interest; the Eastman Kodak lawsuit was filed on April 22, 1999 in San Francisco Superior Court, Case No. 302983 (Court of Appeal No. A091910), entitled Eastman Kodak Company v. City and County of San Francisco; the General Motors lawsuit was filed on February 24, 1999 in San Francisco Superior Court, Case No. 301510 (Court of Appeal A091914), entitled General Motors Corporation v. City and County of San Francisco; the other material terms of the settlements are that the settlements shall include any claims for the 2000 tax year, plaintiffs shall not file any claims for refunds otherwise due pursuant to any repeal of the gross receipts tax ordinance for the 2000 tax year, the plaintiffs shall agree to join in an application for a stipulated reversal of the trial court decisions pursuant to California Code of Civil Procedure Section 128; authorizing the City Attorney to make offers to allow judgment pursuant to California Code of Civil Procedure Section 998 in various business tax cases, for a total amount not to exceed \$64,061.917; and further authorizing settlement of unlitigated claims, for a total amount not to exceed \$718,871.

3/7/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

3/12/01, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

3/12/01, TRANSFERRED to Finance Committee.

- 010452** [Library Fee Amnesty Program]
Supervisors Yee, Hall, Sandoval, Daly

Ordinance amending the San Francisco Administrative Code by adding Section 8.21-3 to authorize the Library Commission to establish a Library fee amnesty program to take place during a two-week period prior to July 1, 2001, whereby the Library Commission, after notice and public hearing, is authorized to waive all fees charged for overdue San Francisco Public Library materials based on a finding that this amnesty program is likely to promote the return of needed Library materials or promote the increased use of the Library.

3/12/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

- 010453** [Biodiesel Fuel]
Supervisors Leno, Maxwell, Newsom

Draft ordinance directing MUNI, San Francisco Airport, the Department of Public Works, and the Recreation and Parks Department to report whether their departmental use of diesel fuel could be met by biodiesel fuel, and directing the Department of the Environment to report on the potential impact of such changes.

3/12/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

- 010454** [Health Service System]
Supervisor Leno

Ordinance amending Chapter 16, Article XV, of Part I of the San Francisco Municipal Code (Administrative Code) by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.

(Fiscal impact.)

3/12/01, RECEIVED AND ASSIGNED to Finance Committee.

Resolutions**010455 [Interim Controls, Mission District]
Supervisor Ammiano**

Resolution adopting interim controls that would, in the Mission District in the area bounded by Guerrero Street, Cesar Chavez Street, Potrero Avenue and the Central Freeway, prohibit tourist hotels, prohibit demolition of a residential use except to construct affordable housing, require mandatory discretionary review and sign posting for a change of use, require all new market-rate housing projects or conversions to market-rate housing to obtain conditional use authorization and allow other types of housing as a permitted use, prohibit an office or information technology use in excess of 1,500 gross square feet in areas zoned M (Industrial), and require conditional use authorization for a utility installation in areas zoned C (Commercial); that would, in the Valencia Street and 24th Street - Mission NCDs, prohibit conversions or demolitions of residential uses, prohibit information technology uses, and require conditional use for a business or professional service use of more than 2,000 square feet above the 1st story unless it is a community service; that would, in the Valencia Street NCD, permit use sizes up to 2,000 square feet as a principal use, require a conditional use for use sizes above 2,000 square feet, and prohibit new tourist hotels; that would, on Mission Street from 15th Street to Cesar Chavez Street zoned NC-C, permit use sizes up to 2,999 square feet as a principal use, require conditional use for use sizes above 2,999 square feet, require all lots over 40,000 square feet to obtain a conditional use authorization for all uses, prohibit conversions or demolition of residential uses, prohibit an administrative service use unless it is a community service and authorize a community service on all stories, and prohibit an information technology use on the 1st and 2nd stories and permit it as a principal use on the 3rd story and above; that would, in the Northeast Mission Industrial Zone (NEMIZ), prohibit any office or information technology use in excess of 1,500 gross square feet unless it is a community service, and prohibit new live/work projects and all conversions of live/work to office; adopting findings.

3/12/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee. 03/16/01 - Transmitted to Planning Department for environmental review.

**010456 [Interim Controls, Internet Services Exchanges]
Supervisors Maxwell, Ammiano, Leno, McGoldrick**

Resolution imposing interim zoning controls defining internet services exchanges, including internet services exchanges within the utility installation use category, establishing a requirement for a conditional use authorization for internet services exchanges in C-1, C-2, C-3-G, C-3-S, C-M, M-1, M-2, SL1 and SSO zones exclusive of lots under the jurisdiction of the San Francisco Port Commission or in a redevelopment project area with an adopted redevelopment plan under the jurisdiction of the San Francisco Redevelopment Agency Commission up to a six month period and making a determination of consistency with the priority policies of Planning Code Section 101.1.

3/12/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee. 03/16/01 - Transmitted to Planning Department for environmental review.

**010457 [State Legislation, SB 23x, Municipal Utility Districts]
Supervisors Gonzalez, Daly**

Resolution declaring the City and County's official position on California State Senate Bill 23x (SB 23x) and its support of amending SB 23x to make it apply to Municipal Utility Districts formed after January 1, 2001, and to include a declaration that if the majority of voters in a municipality included in a proposed Municipal Utility District, which includes the City and County, oppose the formation of the district, but the voters within the City and County approve the formation, the Board of Supervisors of the City and County shall order and declare the district created and established only in the City and County.

3/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010458 [Child Internet Protection Act]
Supervisors Leno, Daly**

Resolution supporting the American Library Association legal action against the Child Internet Protection Act. 3/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010459 [Proclamation]
Supervisors Ammiano, Hall, Leno, Daly, Newsom, Peskin**

Resolution proclaiming Thursday, April 12, 2001, to be "Speak Up for Kids Day" at City Hall.

3/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010460 [Proclamation]
Supervisors Ammiano, Leno, Daly, Newsom, Peskin**

Resolution proclaiming Friday, March 16, 2001, to be "Tony Kilroy Day" at City Hall.

3/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010461 [Commendation]
Supervisors Newsom, Ammiano, Hall, Daly**

Resolution congratulating Sacred Heart Cathedral Preparatory girls basketball team on its win of Northern California Division III championship.

3/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing**010462 [Special Assistant Employees]
Supervisor Peskin**

Hearing to address the growth of "Special Assistant" employees in the City and County of San Francisco.
3/12/01, RECEIVED AND ASSIGNED to Finance Committee. Sponsor requests this item be scheduled for consideration at the April 4, 2001 meeting.

**010463 [Surplus Property for Housing]
Supervisor Ammiano**

Hearing on the use of federal, state, and local surplus property for much-needed housing as intended under the Federal McKinney Act, State Law SB-120 1992, and possible local legislation.
3/12/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010464 [Self-managed Shelters]
Supervisor Ammiano**

Hearing on Self-managed Shelters, a small, efficient and neighborhood-based means of providing essential services to our homeless population.
3/12/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010465 ["No Turn Away Policy," Homeless Families]
Supervisor Gonzalez**

Hearing to evaluate San Francisco's "No Turn Away Policy" in regards to homeless families which was passed by the Board of Supervisors in 1998 and to address ways which the City can support efforts to place families in permanent housing.
3/12/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010467 [Contracting Procedures, Non-Profit Organizations]
Supervisor Maxwell**

Hearing to discuss how the City's contracting procedures with non-profit organizations can be more consistent across departments.
3/12/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

Motions**010469 [Library Fines and Fees]**

Hearing to consider additional information from the Library regarding the proposed ordinance amending the San Francisco Administrative Code to authorize the Library Commission to charge certain fines and fees for the use of library materials and services and ratifying prior fines and fees.

(March 12, 2001 - Pursuant to motion adopted by the Board, scheduled for consideration March 19, 2001. Companion measure to File 002067.)

3/12/01, ASSIGNED to Board of Supervisors. Pursuant to motion adopted in Board. Scheduled for consideration March 19, 2001, Special Order at 3:00 p.m.

**010468 [Women Making History]
Supervisor Ammiano**

Women Making History presentation.

3/12/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration as Special Order on March 19, 2001 at 3:00 p.m.

Introduced by the President at the Request of Departments**PROPOSED ORDINANCES****010437 [Settlement of business tax lawsuits; authorization to make binding settlement offers; authorization to settle unlitigated claims]**

Ordinance authorizing settlement of the lawsuits filed by Eastman Kodak Company and General Motors Corporation versus the City and County of San Francisco by payment of a total amount not to exceed \$129,000, plus interest; the Eastman Kodak lawsuit was filed on April 22, 1999 in San Francisco Superior Court, Case No. 302983 (Court of Appeal No. A091910), entitled Eastman Kodak Company v. City and County of San Francisco; the General Motors lawsuit was filed on February 24, 1999 in San Francisco Superior Court, Case No. 301510 (Court of Appeal A091914), entitled General Motors Corporation v. City and County of San Francisco; the other materials terms of the settlements are that the settlements shall include any claims for the 2000 tax year, plaintiffs shall not file any claims for refunds otherwise due pursuant to any repeal of the gross receipts tax ordinance for the 2000 tax year, the plaintiffs shall agree to join in an application for a stipulated reversal of the trial court decisions pursuant to California Code of Civil Procedure Section 128; authorizing the City Attorney to make offers to allow judgment pursuant to California Code of Civil Procedure Section 998 in various business tax cases, for a total amount not to exceed \$62,888,917; and further authorizing settlement of unlitigated claims, for a total amount not to exceed \$718,871.

3/7/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

3/12/01, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

3/12/01, TRANSFERRED to Finance Committee.

010433 [Ordinance amendment to increase Consumer Protection License Fees]

Ordinance amending the San Francisco Municipal Code Business and Tax Regulations Code by amending Sections 35, 120, 248, and 249.1, relating to fees for licenses or permits for inspections by the Department of Public Health. (Public Health Department)

3/7/01, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 4/11/2001.

PROPOSED RESOLUTIONS**010400 [Placement of PVC pipes across Miramar Avenue at 1490 Ocean Avenue]**

Resolution granting revocable permission to Tosco to occupy a portion of the street area under Miramar Avenue for the purpose of installing and maintaining four (4) schedule 80 polyvinyl chloride pipe (PVC) as part of a recovery/clean up system. (Public Works Department)

(DPW Order No. 172,740.)

3/2/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

010429 [Agreement, HIV Vaccine Clinical Trials]

Resolution authorizing the San Francisco Department of Public Health, (SFDPH), subcontractor, to enter into an agreement in the amount of \$247,970 with Public Health Foundation Enterprises, Inc. (PHFE), primary contractor, to fund the SFDPH portion for "San Francisco HIV Vaccine Clinical Trials", a unit of the HIV Vaccine Trials Network (HVTN); retroactive to June 1, 2000. (Public Health Department)

3/6/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee. Department requests this item be calendared at the March 27, 2001 meeting.

010436 [Federal grant for District Attorney's "Violence Against Women Vertical Prosecution" Program] Supervisor Newsom

Resolution authorizing the District Attorney of the City and County of San Francisco to retroactively apply for, accept and expend funds made available through the Office of Criminal Justice Planning for a project entitled "Violence Against Women Vertical Prosecution" and waiving indirect costs due to funding constraints. (District Attorney)

3/7/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

010438 [State grant to promote healthy eating at the local and regional levels]

Resolution authorizing the Department of Public Health, Community Health Services, to accept retroactively and expend grant funds of \$25,000, from the California Department of Health Services for a Project LEAN Nutrition Network project and to enter into an agreement for the use of these funds; providing for ratification of action previously taken. (Public Health Department)

3/7/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

010439 [Grant from the State Office of AIDS for a survey of young men residing in low-income neighborhoods]

Resolution authorizing the Department of Public Health, AIDS Office, to accept retroactively and expend grant funds of \$50,000 from the State Office of AIDS for a survey of young low-income men and to enter into an agreement for the use of these funds; providing for ratification of action previously taken. (Public Health Department)

3/7/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

010442 [Bank ATM Fees]

Resolution criticizing the United States Comptroller of the Currency's proposed amendment to regulation 12 C.F.R. Section 7.4002(d), which would delete language requiring the Comptroller of the Currency to review National Bank Act preemption of state or local laws limiting national banks' non-interest fees on a case-by-case basis, and urging the Comptroller to withdraw the proposed change. (City Attorney)

3/6/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

Requests Granted

From: Supervisor Ammiano

To: City Attorney

Requesting/Inquiring: To expedite negotiations towards the safe and responsible re-opening of the Sierra Hotel. This 36-unit residential hotel was closed due to a quality-of-life lawsuit brought by the City Attorney. Previous negotiations with housing providers seeking to run the space have broken down.

From: Supervisor Ammiano

To: Chief Probation Officer, Juvenile Probation Department

Requesting/Inquiring: To investigate and report on the protocol in place to assist Juvenile Probation Officers and staff at the Youth Guidance Center around Gay & Lesbian, Queer and Questioning Youth Sensitivity issues.

From: Supervisor Gonzalez

To: Executive Director, Department of Parking and Traffic

Requesting/Inquiring: To conduct a traffic survey to assess the impact of placing a stop sign on the corner of Clayton and Hayes Streets.

Due: April 5, 2001.

In Memoriams

Edna Green (Supervisor Maxwell)

Gina Pennestri (Supervisor Newsom)

ADJOURNMENT

There being no further business, the Board at the hour of 4:10 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 16, 2001.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited

Gloria L. Young
Clerk of the Board

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19/01
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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689*

MEETING MINUTES

DOCUMENTS DEPT.

Monday, March 19, 2001 2:00 PM

JUL 16 2001

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

SAN FRANCISCO
PUBLIC LIBRARY

Regular Meeting

TOM AMMIANO, PRESIDENT

*CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE MCGOLDRICK, GAVIN NEWSOM
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE*

Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Audit, Labor and Government Efficiency Committee
Supervisors Newsom, Daly, McGoldrick

City and School District Committee
Supervisors Maxwell, Ammiano, Wynns, Mar

Economic Vitality, Small Business and Social Policy Committee
Supervisors Sandoval, Newsom, Maxwell

Finance Committee
Supervisors Leno, Peskin, Gonzalez

Housing, Transportation and Land Use Committee
Supervisors McGoldrick, Daly, Peskin

Neighborhood Services and Parks Committee
Supervisors Yee, Hall, Sandoval

Public Health and Environment Committee
Supervisors Maxwell, Yee, Leno

Public Utilities and Deregulation Committee
Supervisors Daly, Gonzalez, Ammiano

Rules Committee
Supervisors Gonzalez, Hall, Ammiano

Meeting Days

2nd & 4th Tuesday
1:00 PM

3:00 PM

1st & 3rd Tuesday
10:00 AM

Wednesday
10:00 AM

2nd & 4th Thursday
10:00 AM

1st & 3rd Tuesday
1:00 PM

2nd & 4th Tuesday
10:00 AM

Call of the Chair

1st & 3rd Thursday
1:00 PM

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Yee - 9.

Noted absent:

Supervisors McGoldrick, Sandoval - 2.

Quorum present.

Supervisor McGoldrick was noted present at 2:03 p.m.

Supervisor Sandoval was noted present at 2:03 p.m.

CONSENT AGENDA

Recommendations of the Audit, Labor and Government Efficiency Committee

010314 [Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of City and County of San Francisco against Main Street California dba TGI Friday's for \$1,300,000. (City Attorney)

(S.F. Superior Court No. 997-764; eminent domain action commenced on September 10, 1998 entitled "City and County of San Francisco v. WCB More II Ltd. Partnership, et al.)

PASSED, ON FIRST READING

010353 [Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of San Mateo County Transit District against City and County of San Francisco for \$18,638,562 plus interest. (City Attorney)

(Superior Court No. 405-695; date action filed: July 28, 1998.)

PASSED, ON FIRST READING

- 010354 **[Settlement of litigation involving the condemnation by SamTrans and BART of the City's water pipeline easement for the BART SFO extension]**
Ordinance authorizing settlement of litigation of San Mateo County Transit District against City and County of San Francisco by an exchange of easements and the relocation of the City's water pipeline. (City Attorney)
- (San Mateo Superior Court No. 406-647; date action filed: July 28, 1998.)
- PASSED, ON FIRST READING**
- 010364 **[Gift Acceptance, DPH-San Francisco General Hospital]**
Resolution authorizing the Department of Public Health, San Francisco General Hospital, to accept and expend a gift bequeathed to San Francisco General Hospital from the estate of LeMar Hoaglin. (Public Health Department)
- Resolution No. 236-01**
ADOPTED

Recommendations of the Finance Committee

- 010276 **[Appropriation, funding various streets and roads rehabilitation project]**
Mayor, Supervisor Newsom
- Ordinance appropriating \$9,021,349 to fund various local streets and roads rehabilitation projects for the Department of Public Works for fiscal year 2000-01.
- (Fiscal impact.)
- Ordinance No. 50-01**
FINALLY PASSED
- 010315 **[Appropriation, funding for the emergency physician services to indigent persons]**
Supervisors Leno, Newsom
- Ordinance appropriating \$1,203,219 of Emergency Medical Services Appropriation (EMSA) funds to provide emergency physician services to indigent persons to the Department of Public Health for fiscal year 2000-01. (Public Health Department)
- (Fiscal impact.)
- Ordinance No. 52-01**
FINALLY PASSED
- 010203 **[Contracting out Facility Security Services]**
Resolution concurring with the Controller's certification that facility security services for the Municipal Transportation Agency can be practically performed by a private contractor at a lower cost than by City and County employees. (Public Transportation Commission)
- Resolution No. 230-01**
ADOPTED

- 010351 [Grant to acquire compressed natural gas (CNG) light duty, high mileage vehicles for permitted airport operators]
Supervisors Newsom, Leno

Resolution authorizing the Airport Commission to accept and expend a grant in the amount of \$100,000 from the Bay Area Air Quality Management District (Air District) for acquisition of compressed natural gas (CNG) vans by Airport permittees. (Airport Commission)

Resolution No. 234-01

ADOPTED

- 010352 [Grant to acquire compressed natural gas (CNG) light duty vehicles for permitted airport operators]
Supervisors Newsom, Leno

Resolution authorizing the Airport Commission to accept and expend a grant in the amount of \$99,000 from the Bay Area Air Quality Management District (Air District) for acquisition of compressed natural gas (CNG) autos and vans by Airport permittees. (Airport Commission)

Resolution No. 235-01

ADOPTED

Recommendation of the Neighborhood Services and Parks Committee

- 001758 [Underground District No. 357]
Supervisors Yee, Newsom

Ordinance creating Underground District No. 357 on lower Great Highway from Sloat Boulevard to Taraval Street.

Ordinance No. 49-01

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Economic Vitality, Small Business and Social Policy Committee

010184 [Commendation]
Supervisors Yee, Hall

Resolution commending Elaine Chao for her continued work on behalf of Asian Americans and her new position as Secretary of Labor.

Supervisor Hall requested to be added as co-sponsor.

Resolution No. 229-01

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

Recommendation of the Finance Committee

010221 [Establishing monthly contributions to Health Service System by the City and County, Unified School District, and Community College]

Resolution establishing monthly contribution amount to Health Service Trust Fund. (Human Resources Department)

Resolution No. 231-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

NEW BUSINESS

Recommendation of the Audit, Labor and Government Efficiency Committee

010367 [MOU Amendment No. 1 - Carpenters, Local Union No. 22]
Supervisor Newsom

Ordinance implementing Amendment No. 1 to the 1997-2001 Memorandum of Understanding between the Carpenters, Local Union No. 22 and the City and County of San Francisco by appending the following list of past practices pursuant to Article VI.C. of the Memorandum of Understanding. (Human Resources Department)

Supervisor Newsom requested to be added as sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of the Finance Committee

002104 [Inventory of City property]
Supervisors Ammiano, Hall

Ordinance directing the Director of Property to create an inventory of City property that may be appropriate for temporary and occasional use by nonprofit arts and cultural organizations.

Supervisor Hall requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

010277 [Solar Energy Bond]
Supervisors Leno, Maxwell, McGoldrick, Peskin, Gonzalez, Newsom, Sandoval, Ammiano, Hall

Resolution urging the Controller, Mayor's Office of Public Finance, Department of the Environment, Public Utilities Commission and other applicable departments to assist in crafting a solar energy bond for consideration on the November 2001 ballot to provide funding for solar power technology to be used on San Francisco public buildings and land.

Supervisor Hall requested to be added as co-sponsor.

Resolution No. 242-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendation of the Housing, Transportation and Land Use Committee**010319 [Easement deed, City owned property in Alameda County]**

Resolution authorizing and approving the granting of easement rights over City owned real property known as Parcels 1224(2), 1272, and a portion of Parcel 1271(3) of Bay Division Pipeline Nos. 1 and 2 right of way and a portion of abandoned Chestnut Street in Newark, Alameda County ("City's Property") to Enterprise Drive LLC ("Grantee"). (Real Estate Department)

Resolution No. 233-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendation of the Public Health and Environment Committee**010374 [Emergency Work, John Muir Drive]
Supervisors Hall, Newsom**

Resolution declaring a public emergency at John Muir Drive as a result of the unstable conditions caused by heavy rains and directing and authorizing the Director of the Department of Public Works to take necessary measures in the most expeditious manner to prevent or mitigate loss of or damage to the sewer transport system at John Muir Drive between Skyline Boulevard and Lake Merced Boulevard. (Public Works Department)

Supervisors Hall, Newsom requested to be added as co-sponsors.

Resolution No. 237-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

SPECIAL ORDER 2:30 P.M.**010469 [Library Fines and Fees]**

Hearing to consider additional information from the Library regarding the proposed ordinance amending the San Francisco Administrative Code to authorize the Library Commission to charge certain fines and fees for the use of library materials and services and ratifying prior fines and fees.

(March 12, 2001 - Pursuant to motion adopted by the Board, scheduled for consideration March 19, 2001. Companion measure to File 002067.)

Speaking in opposition: Peter Warfield, James Chaffee, Barbara Berman, Katherine Powell, Chris Romera, Andre, Daisy, Floyd Brown.

Speaking in support: Deborah Doyle, Chuck Forester, Albert Alexander, Demetrius, Paul Ronstan, Linda Greenfield.

HEARD AT PUBLIC HEARING.

Appointment of President Pro Tempore

At the request of the President, Supervisor Daly assumed the Chair.

Recommendation of Finance Committee**002067 [Library Fines and Fees]**

Ordinance amending the San Francisco Administrative Code by adding Section 8.21-2 to authorize the Library Commission to charge certain fines and fees for the use of library materials and services and ratifying prior fines and fees. (Public Library)

(Supervisor Gonzalez dissenting in Committee.)

Supervisor McGoldrick moved to amend page 4, line 8 by deleting "Recovery of Delinquent Accounts, \$10/account" and page five, lines 9 through 21, which references agreement between Unique Management Collection Agency.

Supervisor McGoldrick, seconded by Supervisor Yee, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 6 - Ammiano, Daly, Gonzalez, McGoldrick, Sandoval, Yee

Noes: 5 - Hall, Leno, Maxwell, Newsom, Peskin

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Sandoval, Yee

Noes: 3 - Hall, Newsom, Peskin

The President resumed the Chair.

SPECIAL ORDER 3:00 P.M.**010468 [Women Making History]**

Supervisor Ammiano

Women Making History presentation.

The following women were recognized and honored as Women Making History 2001 recipients by each Supervisor:

Nancy Charraga (Supervisor Ammiano);

Daphne Benson (Supervisor Daly);

Tsuyako "Sox" Kitashima (Supervisor Gonzalez);

Kathleen Ryan (Supervisor Hall);

Sarah Marshall (Supervisor Leno);

Mattie Duhon (Supervisor Maxwell);

Sister Bernadette Giles (Supervisor McGoldrick);

Diane "Dede" Wilsey (Supervisor Newsom);

Stacey Karp (Supervisor Peskin);

The Late Violeta "Bullet" Marasigan (Supervisor Sandoval);

Susan Suval (Supervisor Yee).

FILED.

PUBLIC COMMENT

*Abdalla Megahed, homeless issues;
Julio Ramos, trustee of City College, late Robert Burton memorial service;
James Chaffee, concern with public library, retroactive approval, Library Foundation memorandum of understanding has expired;
Floyd Brown, urge the United States adopts policy to hire United States citizens first;
Peter Warfield, library renovation by Library Foundation, library space issue.*

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

010459 [Proclamation]
Supervisors Ammiano, Hall, Leno, Daly, Newsom, Peskin

Resolution proclaiming Thursday, April 12, 2001, to be "Speak Up for Kids Day" at City Hall.

Supervisors Hall, Leno, Daly, Newsom, Peskin requested to be added as co-sponsors.

Resolution No. 238-01

ADOPTED

010460 [Proclamation]
Supervisors Ammiano, Leno, Daly, Newsom, Peskin

Resolution proclaiming Friday, March 16, 2001, to be "Tony Kilroy Day" at City Hall.

Supervisors Leno, Daly, Newsom, Peskin requested to be added as co-sponsors.

Resolution No. 239-01

ADOPTED

010461 [Commendation]
Supervisors Newsom, Ammiano, Hall, Daly

Resolution congratulating Sacred Heart Cathedral Preparatory girls basketball team on its win of Northern California Division III championship.

Supervisors Hall, Daly requested to be added as co-sponsors.

Resolution No. 240-01

ADOPTED

**010470 [Small Business Commission]
Supervisors Daly, Newsom, Hall, Sandoval, Leno**

Motion directing the Clerk of the Board of Supervisors to forward legislation primarily impacting the small business community to the Small Business Commission for review and comment.

Supervisors Sandoval, Hall, Leno requested to be added as co-sponsors.

Motion No. M01-33

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval

Absent: 2 - Newsom, Yee

Severed From For Adoption Without Committee Reference Agenda

**010317 [Workers Compensation benefits for California employees]
Supervisor Peskin**

Resolution urging the California State Legislature pass, and Governor Davis sign, Senate Bill 71.

Supervisor Peskin requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Peskin submitted an amendment of the whole, bearing new title.

Supervisor Peskin, seconded by Supervisor Leno, moved that this Resolution be **AMENDED**. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval

Absent: 2 - Newsom, Yee

Resolution urging the California State Legislature explore ways to significantly strengthen Workers Compensation benefits for California employees.

Supervisors Hall, Daly requested to be added as co-sponsors.

Resolution No. 232-01

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval

Absent: 2 - Newsom, Yee

**010457 [State Legislation, SB 23x, Municipal Utility Districts]
Supervisors Gonzalez, Daly**

Resolution declaring the City and County's official position on California State Senate Bill 23x (SB 23x) and its support of amending SB 23x to make it apply to Municipal Utility Districts formed after January 1, 2001, and to include a declaration that if the majority of voters in a municipality included in a proposed Municipal Utility District, which includes the City and County, oppose the formation of the district, but the voters within the City and County approve the formation, the Board of Supervisors of the City and County shall order and declare the district created and established only in the City and County.

Supervisor Hall requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Resolution No. 243-01

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval

Absent: 2 - Newsom, Yee

**010458 [Child Internet Protection Act]
Supervisors Leno, Daly**

Resolution supporting the American Library Association legal action against the Child Internet Protection Act.

Supervisor Ammiano, on behalf of Supervisor Yee, requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Ammiano, on behalf of Supervisor Yee, requested this matter be sent to committee.

REFERRED to the Neighborhood Services and Parks Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**010487 [Double Parking]
Supervisor Newsom**

Ordinance amending Traffic Code Section 53 to extend the ordinance for two more years.

3/19/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010488 [Bicycle Storage]
Supervisor Leno**

Ordinance adding Section 155.4 to the Planning Code to require that all new commercial buildings and commercial buildings with major renovations contain parking spaces for bicycles proportionate to and in accordance with such building's square footage and primary use.

3/19/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 4/18/2001. 03/22/01 - Transmitted to Planning Commission for public hearing and recommendation.

**010489 [Name Change]
Supervisor Leno**

Ordinance amending the San Francisco Health Code by amending Section 41.1 to change the name of the Commission of Animal Control and Welfare to Commission of Animal Welfare and amending Section 41.3 to replace obsolete references to "Chief Administrative Officer" with "City Administrator."

3/19/01, ASSIGNED UNDER 30 DAY RULE to Public Health and Environment Committee, expires on 4/18/2001.

**010491 [Expanding the authority of the Department of Animal Care and Control to issue dog licenses and enter into agreements with pet-related businesses and animal welfare organizations to issue dog licenses.]
Supervisor Leno**

Ordinance amending the San Francisco Health Code by amending sections 41, 41.2, 41.4, 41.5, 41.15, 41.19, 41.20 and 41.22 to: (1) expand the authority of the Department of Animal Care and Control to issue dog licenses; (2) authorize the Director of Animal Care and Control to enter into agreements with persons and entities, including but not limited to, veterinarians, retailers of pet supplies and pet services and animal welfare organizations, to accept applications for, and issue dog licenses; and (3) make miscellaneous technical corrections and delete references to obsolete code sections and terms; and amending the San Francisco Business and Tax Regulations Code by amending section 221.3 to specify that dog license fees collected by the Department of Animal Care and Control be delivered to the San Francisco Animal Control and Welfare Fund.

3/19/01, ASSIGNED UNDER 30 DAY RULE to Public Health and Environment Committee, expires on 4/18/2001.

Resolutions

**010492 [School Parking Lots]
Supervisor Leno**

Resolution urging the San Francisco Unified School District to work with the Department of Parking and Traffic to create an evening and weekend parking permit program for neighborhood residents that makes use of existing school parking lots and raises revenue for the district and its schools.

3/19/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

**010493 [State Grant]
Mayor**

Resolution authorizing the Mayor's Criminal Justice Council (MCJC) to retroactively accept and expend funds in the amount of \$592,198 from the Office of Criminal Justice Planning (OCJP), State of California, from funds made available under the Juvenile Accountability Incentive Block Grant (JAIBG) Program.

3/19/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

**010512 [Settlement of Obligation Bond Issuance]
Supervisor Peskin**

Resolution providing for the issuance of not to exceed \$69,060,000 aggregate principal amount of City and County of San Francisco Settlement Obligation Bonds, Series 2001 (Business Tax Judgment); authorizing the execution, authentication and registration of said bonds; providing for an annual appropriation to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts relating thereto; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Companion measure to File 010513.)

3/17/01, RECEIVED AND ASSIGNED to Finance Committee. Sponsor requests this item be scheduled for consideration at the March 28, 2001 meeting.

**010513 [Settlement of Obligation Bond Sale]
Supervisor Peskin**

Resolution authorizing and directing the sale of not to exceed \$69,060,000 City and County of San Francisco Settlement Obligation Bonds, Series 2001 (Business Tax Judgment); prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts relating thereto; approving the forms of the Official Notice of Sale and the Notice of Intention to Sell Bonds; directing the publication of the Official Notice of Sale and Notice of Intention to Sell Bonds; approving the form and execution of the Official Statement relating thereto; approving the form of the Continuing Disclosure Certificate; approving modifications to the documents approved herein; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

3/19/01, RECEIVED AND ASSIGNED to Finance Committee. Sponsor requests this item be scheduled for consideration at the March 28, 2001 meeting.

**010494 [AB 1058, Greenhouse Gas Emissions]
Supervisors Gonzalez, Newsom**

Resolution urging the Governor and State Legislature to support AB 1058 which would require the California Air Resources Board to formulate and implement a program for reduction of carbon dioxide emissions from passenger cars and light-duty trucks within twelve months of the date of enrollment.

3/19/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010495 [Phelan Avenue Pedestrian Safety]
Supervisors Hall, Newsom**

Resolution urging the San Francisco Department of Parking and Traffic to continue its efforts to improve pedestrian safety along Phelan Avenue by continuing to work with Archbishop Riordan High School and City College of San Francisco on further pedestrian safety improvements.

3/19/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010496 [Extension of Planning Commission Review Period]
Supervisor Leno**

Resolution extending the prescribed time within which the Planning Commission may render its decision on proposed ordinances to amend the Planning Code to create the Glen Park Special Use District.

3/19/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010497 [SB10, Safe Routes to School Bill]
Supervisors Maxwell, Daly, Hall**

Resolution urging State Senators John Burton and Jackie Speier to support State Senate Bill SB10, the Safe Routes to School Bill.

3/19/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010498 [Commendation]
Supervisor Daly**

Resolution commending lesbian activist, artist, writer and outreach worker, Delphine Brody.

3/19/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010499 [Commendation]
Supervisor Newsom**

Resolution congratulating Seven Tepees Youth Program for its outstanding commitment to inner city youth.

3/19/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**010500 [28-CLEAN Program]
Supervisor Sandoval**

Hearing on the Department of Public Works 28-CLEAN Program.

3/19/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee. Sponsor requests this item be scheduled for consideration at the April 3, 2001 meeting.

010501 [Dot.com Office Development]
Supervisor McGoldrick

Hearing to investigate the effect of the City's planning policies that have accommodated dot.com office development. In particular, what businesses have been forced out of the City as a result of such development and what effect has this had on the diversity of our economy. Also, how many dot.com development projects are still in operation at this point.

3/19/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

010502 [Port PacBell Park]
Supervisors McGoldrick, Newsom, Maxwell

Hearing on the decision of the Port Commission to purchase luxury sky boxes at PacBell Park.
3/19/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

010503 [Harding Golf Course]
Supervisors McGoldrick, Gonzalez, Hall

Hearing to consider the option of keeping Harding Golf Course a publicly managed and publicly financed municipal recreation facility.

3/19/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

010504 [Hand-held Cell Phones]
Supervisors McGoldrick, Ammiano

Hearing on the safety of using hand-held cell phones while driving a vehicle and possible measures to address safety issues involved.

3/19/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

010505 [Heroin Overdose Deaths]
Supervisor Newsom

Hearing on the efforts to reduce the number of heroin overdose deaths; with particular emphasis on "911 protocol"; rescue breathing, and Naloxene access.

3/19/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

010506 [Supplemental Appropriation]
Supervisor Peskin

Hearing regarding upcoming supplemental appropriations comprised of a report by the City Controller on supplemental budgetary items, reprogramming of funds within Departments, and other previously unforeseen fiscal actions by City Departments that will be brought before the Finance Committee.

3/19/01, RECEIVED AND ASSIGNED to Finance Committee.

010507 [City Holiday]
Supervisors Sandoval, Ammiano, Maxwell

Hearing to consider declaring March 31st, Cesar Chavez's birthday, an official City holiday.
3/19/01, RECEIVED AND ASSIGNED to Finance Committee. Sponsor requests this item be scheduled for consideration at the March 28, 2001 meeting.

010508 [Norcal Proposal for Rate Increase]
Supervisors McGoldrick, Ammiano

Hearing to consider Norcal's proposal to the City for a rate increase on its contract for collection of trash.
3/19/01, RECEIVED AND ASSIGNED to Rules Committee.

Motions

010509 [Budget Town Hall Meetings]
Supervisors Leno, Peskin, Gonzalez, Hall

Motion urging the Clerk of the Board of Supervisors to coordinate with interested members of the Board of Supervisors, the Budget Analyst, the Mayor's Office, the Chair of the Finance Committee and all City Departments to create District Town Hall Budget Meetings that allow citizens of San Francisco greater input into this year's budget process.

3/19/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010510 [Extend Time for Negotiations]
Supervisor Newsom

Motion extending time for negotiations pursuant to Charter Section 11.100.

3/19/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010511 [Needle Exchange]
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

3/19/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments**PROPOSED ORDINANCES**

- 010466 [Appropriation, funding for the increase of expenditures on the Indigent Defense Program]**
Ordinance appropriating \$1,200,000 from the General Fund Reserve for the projected shortfall in the Indigent Defense Program at the Trial Court for fiscal year 2000-01; providing for ratification of action previously taken. (Controller)

(Fiscal impact.)

3/12/01, RECEIVED AND ASSIGNED to Finance Committee.

- 010471 [Appropriation, funding the Octavia Boulevard Construction Project]**
Supervisor Leno

Ordinance appropriating \$352,000 of lease revenues from former Central Freeway right-of-way parcels currently used as parking lots to fund design, construction, development and maintenance of road improvements on Octavia Boulevard by Public Works in fiscal year 2000-01. (Controller)

(Fiscal impact.)

3/14/01, RECEIVED AND ASSIGNED to Finance Committee.

Supervisor Leno requested to be added as sponsor.

PROPOSED RESOLUTIONS

- 010446 [Stop Intersections]**
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Griffith and Quesada Streets, northeast and southwest corners, stopping Quesada Street (makes this uncontrolled intersection a two-way STOP)

Rutland Street and Tucker Avenue, northwest and southeast corners, stopping Rutland Street (makes this an all-way STOP) (Parking and Traffic Department)

(DPT Order No. 2181.)

3/8/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

010447 [Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

9th Avenue, both sides, between Judah and Kirkham Streets (1400 block)
Kirkham Street, both sides, between 9th and 10th Avenues (500 block)

RESIDENTIAL PERMIT PARKING AREA "O" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

16th Avenue, both sides, between Santiago Street and Cecilia Avenue (northern portion of 2300 block)

RESIDENTIAL PERMIT PARKING AREA "W" (1-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

26th Street, both sides, between Hampshire and York Streets (2800 block) (Parking and Traffic Department)

(DPT Order No. 2181.)

3/8/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

010449 [Contract, DPH - University of California, San Francisco]

Resolution authorizing the San Francisco Department of Public Health (SFDPH), subcontractor, to enter into an agreement in the amount of \$387,775.84 with the University of California, San Francisco (UCSF), primary contractor, for the "Behavioral, Basic and Clinical Studies of Post-Exposure Prophylaxis (PEP)" project for the period of September 30, 2000 to August 31, 2004. (Public Health Department)

3/12/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee. Department requests this item be calendared at the March 27, 2001 meeting.

010483 [State/Airport Maintenance Agreement]

Resolution approving the final Maintenance Cooperative Agreement as it relates to the SFIA Inbound/Outbound Ramps Project which is by and between the City and County of San Francisco, acting through its Airport Commission, and the State of California. (Airport Commission)

3/12/01, RECEIVED AND ASSIGNED to Finance Committee. Sponsor requests this item be scheduled for consideration at the April 4, 2001 meeting.

010448 [Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets.

MULTIPLE RIGHT TURN LANES - ESTABLISH

4th Street, southbound, at King Street

NO RIGHT TURN ON RED - ESTABLISH

Powell Street, southbound, at Jackson Street

NO RIGHT TURN ON RED, 3 PM - 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH

Fremont Street, southbound, at Harrison Street

Main Street, southbound, at Harrison Street

Spears Street, southbound, at Harrison Street

NO RIGHT TURNS - RESCIND**NO RIGHT TURNS, 3 PM - 8 PM, MONDAY THROUGH FRIDAY - ESTABLISH**

Harrison Street, eastbound, at 1st Street

NO LEFT TURNS, 3 PM - 7 PM - RESCIND**NO LEFT TURNS, 3 PM - 8 PM, MONDAY THROUGH FRIDAY - ESTABLISH**

Harrison Street, westbound, at Essex Street

NO STOPPING ANYTIME - RESCIND**NO STOPPING, EXCEPT 5 AM - 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH**

Mission Street, south side, from 218 feet to 328 feet east of 5th Street (110-foot zone)

STREET CLOSED TO VEHICULAR TRAFFIC, 11 AM - 2 PM, MONDAY THROUGH FRIDAY - ESTABLISH

Shaw Alley, between Mission and Minna Streets

NO TURN ON RED - ESTABLISH

Stockton Street, both directions, at Clay Street

Stockton Street, both directions, at Jackson Street

Stockton Street, both directions, at Pacific Avenue

Stockton Street, both directions, at Washington Street

Clay Street, eastbound, at Stockton Street

Jackson Street, eastbound, at Stockton Street

Pacific Avenue, westbound, at Stockton Street

Washington Street, westbound, at Stockton Street (Parking and Traffic Department)

(DPT Order No. 2181.)

3/8/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

Requests Granted

From: Supervisors Sandoval, Ammiano, Maxwell

To: City Attorney

Requesting/Inquiring: To draft legislation that would declare March 31st, Cesar Chavez's birthday, an official city holiday. File 010507.

From: Supervisor Yee

To: City Attorney

Requesting/Inquiring: To draft legislation amending the April 29, 1975 Agreement between San Francisco and the Department of the Interior, National Park Service. The amendment should specify that the Golden Gate National Recreation Area (GGNRA) must consult the City in the areas of planning, land use planning and regulation of recreational use. The City should be consulted about any changes on the land or changes in use on the land. The language should also reflect that changes include fence construction, closing off any portions of the land to any kind of recreational use, any changes on the allowance or disallowance of any sort of recreational use, and any changes in policy which affect San Franciscans who use the land for recreation. Expand notification to include the Board of Supervisors and reflect that consultation should occur at the earliest possible stage in the planning process and should allow for the City to hold an appropriately noticed public hearing if necessary. Failure of the GGNRA to reach agreement on this issue will result in the City initiating an action seeking reversion of the property to City.

From: Supervisor Yee

To: City Attorney

Requesting/Inquiring: That the City Attorney, in concert with the Director of Department of Parking and Traffic and the Chief of Police draft legislation amending the Traffic Code to expand the street closure notification process so that residents and businesses are more adequately notified of special event street closures and athletic event street closures.

From: Supervisor Yee

To: City Attorney

Requesting/Inquiring: To draft legislation amending the Administrative Code to require that the Voter Information Pamphlet include a statement, for each ballot measure, that indicates that Board of Supervisors' support for putting a measure on the ballot does not necessarily indicate support for the measure itself. Example language could read: The Board of Supervisors' support for putting this measure on the ballot is a statement of their belief that the public has the right to decide this issue. It does not necessarily indicate an individual member's support for or opposition to the measure itself.

From: Supervisor Ammiano

To: City Attorney

Requesting/Inquiring: To draft legislation establishing a Live/Work Task Force to develop recommendations for consideration by the Board of Supervisors as to City policy on live/work development and related issues.

From: Supervisor Ammiano

To: Chief Probation Officer, Youth Guidance Center

Requesting/Inquiring: Urging the Youth Guidance Center to initiate a diversity training program to address gay, lesbian, bisexual, and transgender sensitivity. In addition, what diversity training they have instituted previously.

From: Supervisor Daly

To: Director, Department of Human Services

Requesting/Inquiring: Requesting copies of all correspondence between Department of Human Services and external parties (e.g. Cox, tenants) relating to 3120 Mission Street.

From: Supervisor Daly

To: Director, Planning Department

To: Director, Department of Building Inspection

Requesting/Inquiring: Requesting a complete listing of all office and business services permits approved or pending in the SLI, SLR, and RSD districts since 1995 from both the Department of City Planning and the Department of Building Inspection.

From: Supervisor Gonzalez

To: Executive Director, Housing Authority

Requesting/Inquiring: To investigate and report what corrective action the agency has taken to address the findings included in the U.S. Department of Housing and Urban Development's Office of Inspector General audits #00-CH201-1001 and #00-CH-201-1002.

From: Supervisor Gonzalez

To: Board of Commissioners, Housing Authority

Requesting/Inquiring: To investigate and report what corrective action the agency has taken to address the findings included in the US Department of Housing and Urban Development's Office of Inspector General audits #00-CH201-1001 and #00-CH-201-1002.

From: Supervisor Gonzalez

To: City Attorney

Requesting/Inquiring: To contact the prosecuting agency of Cleveland and the U.S. Attorney General to determine whether these agencies are initiating any legal action against parties involved in the U.S. Department of Housing and Urban Development's Office of Inspector General audits #00-CH201-1001 and #00-CH-201-1002.

From: Supervisor Hall

To: Director, Rent Stabilization and Arbitration Board

Requesting/Inquiring: To investigate and report on the status of the "neutral, comprehensive, fact-based socioeconomic study of housing" commissioned by the Board of Supervisors last year (File 991413). When will the study be completed? Will the already \$175,000 be sufficient to cover the remaining costs of producing the study in a timely manner? And if not, how much more money will the Rent Board need to finish the study on time?

From: Supervisor McGoldrick

To: City Attorney

Requesting/Inquiring: To draft legislation establishing an advisory task force to study and make recommendations concerning the City's priorities for capital improvement projects and use of our bonding capacity.

From: Supervisor McGoldrick

To: City Attorney

Requesting/Inquiring: To draft legislation amending the Administrative Code and the Charter requiring the Mayor to submit his budget to the Board of Supervisors by February 1 of each year, with corresponding adjustments to the schedule of submissions by departments.

From: Supervisor Newsom

To: Chief, Police Department

Requesting/Inquiring: To report on the feasibility of including Domestic Violence Statistics in the Police District Preliminary Crime Report.

From: Supervisor Newsom

To: Director, Landmarks Preservation Advisory Board

Requesting/Inquiring: Requesting a status report for the Doggie Diner head preservation effort.

From: Supervisor Newsom

To: City Attorney

Requesting/Inquiring: Urging the State Attorney General to draft legislation amending the State Penal Code Sections 594(2)(A), 594(b)(1) and 594(b) to set penalties for the destruction or defacing of bus shelters. There should be new language regarding the use of acid for etching, which is a new way to deface property that is not included in the Penal Code.

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Robert E. Burton (Full Board)

Lorna Logan (Supervisor Yee)

Sue Chin Cheung (Supervisor Yee)

Joe Rudolph (Supervisor Maxwell)

ADJOURNMENT

There being no further business, the Board at the hour of 5:42 p.m adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689*

MEETING MINUTES

DOCUMENTS DEPT.

Monday, March 26, 2001 2:00 PM

JUL 16 2001

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

SAN FRANCISCO
PUBLIC LIBRARY

Regular Meeting

TOM AMMIANO, PRESIDENT

***CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE MCGOLDRICK, GAVIN NEWSOM
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE***

Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Audit, Labor and Government Efficiency Committee

Supervisors Newsom, Daly, McGoldrick

City and School District Committee

Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynns, Commissioner Mar

Economic Vitality, Small Business and Social Policy Committee

Supervisors Sandoval, Newsom, Maxwell

Finance Committee

Supervisors Leno, Peskin, Gonzalez

Housing, Transportation and Land Use Committee

Supervisors McGoldrick, Daly, Peskin

Neighborhood Services and Parks Committee

Supervisors Yee, Hall, Sandoval

Public Health and Environment Committee

Supervisors Maxwell, Yee, Leno

Public Utilities and Deregulation Committee

Supervisors Daly, Gonzalez, Ammiano

Rules Committee

Supervisors Gonzalez, Hall, Ammiano

Meeting Days

2nd & 4th Tuesday
1:00 PM

Call of the Chair

1st & 3rd Tuesday
10:00 AM

Wednesday
10:00 AM

2nd & 4th Thursday
10:00 AM

1st & 3rd Tuesday
1:00 PM

2nd & 4th Tuesday
10:00 AM

Call of the Chair

1st & 3rd Thursday
1:00 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:00 p.m. On call of the roll, all Supervisors were noted present.

Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Leno, seconded by Supervisor Newsom, moved to APPROVE the February 5 and February 12, 2001 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Privilege of the Floor

Supervisor Leno, seconded by Supervisor Maxwell, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Introduction of Guests

Supervisor Leno introduced and welcomed members of the Small Business Commission: Steven Cornell, President; Gwen Kaplan, Treasurer and Daniel Hong, Executive Director. Mr. Cornell gave a brief overview of the role of the Small Business Commission.

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled or considered differently.

Supervisor Leno indicated the matter relating to sublease of Treasure Island Brig Facility for Sheriff's Department, File 010145, for the purpose of continuing the item. (See infra.)

CONSENT AGENDA

Recommendations of the Audit, Labor and Government Efficiency Committee

010314 [Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of City and County of San Francisco against Main Street California dba TGI Friday's for \$1,300,000. (City Attorney)

(S.F. Superior Court No. 997-764; eminent domain action commenced on September 10, 1998 entitled "City and County of San Francisco v. WCB More II Ltd. Partnership, et al.)

Ordinance No. 51-01
FINALLY PASSED

010353 [Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of San Mateo County Transit District against City and County of San Francisco for \$18,638,562 plus interest. (City Attorney)

(Superior Court No. 405-695; date action filed: July 28, 1998.)

Ordinance No. 54-01
FINALLY PASSED

010354 [Settlement of litigation involving the condemnation by SamTrans and BART of the City's water pipeline easement for the BART SFO extension]

Ordinance authorizing settlement of litigation of San Mateo County Transit District against City and County of San Francisco by an exchange of easements and the relocation of the City's water pipeline. (City Attorney)

(San Mateo Superior Court No. 406-647; date action filed: July 28, 1998.)

Ordinance No. 55-01
FINALLY PASSED

010367 [MOU Amendment No. 1 - Carpenters, Local Union No. 22]

Supervisor Newsom

Ordinance implementing Amendment No. 1 to the 1997-2001 Memorandum of Understanding between the Carpenters, Local Union No. 22 and the City and County of San Francisco by appending the following list of past practices pursuant to Article VI.C. of the Memorandum of Understanding. (Human Resources Department)

Ordinance No. 56-01
FINALLY PASSED

Recommendation of the Economic Vitality, Small Business and Social Policy Committee

- 010436 [Federal grant for District Attorney's "Violence Against Women Vertical Prosecution" Program]
Supervisor Newsom

Resolution authorizing the District Attorney of the City and County of San Francisco to retroactively apply for, accept and expend funds made available through the Office of Criminal Justice Planning for a project entitled "Violence Against Women Vertical Prosecution" and waiving indirect costs due to funding constraints.
(District Attorney)

Resolution No. 252-01
ADOPTED

Recommendations of the Finance Committee

- 002104 [Inventory of City property]
Supervisors Ammiano, Hall

Ordinance directing the Director of Property to create an inventory of City property that may be appropriate for temporary and occasional use by nonprofit arts and cultural organizations.

Ordinance No. 57-01
FINALLY PASSED

- 010355 [Lease Amendment, 1650 Mission Street]
Resolution authorizing an amendment to lease real property at 1650 Mission Street for the Department of Aging and Adult Services. (Real Estate Department)

(Fiscal impact.)

Resolution No. 249-01
ADOPTED

Recommendation of the Neighborhood Services and Parks Committee

- 010207 [State grant for continuation of the Public Library's Access News Program for blind and sight impaired patrons]
Supervisors Newsom, Daly

Resolution authorizing retroactively, San Francisco Public Library to accept and expend a grant of \$25,000 from California State Library, Public Library Projects for Access News Program.

Supervisor Daly requested to be added as co-sponsor.

Resolution No. 247-01
ADOPTED

Recommendations of the Rules Committee**001389 [Appointment]**

Resolution appointing David Parker and David Lee Crosby, terms ending December 31, 2002, and Julie Pasadas, term ending June 30, 2003, to the Delinquency Prevention Commission; waiving residency requirement.

(David Parker, succeeding Cynthia Seymour, [Seat 2, must have interest in and be knowledgeable regarding juvenile delinquency prevention], unexpired portion of four-year term ending December 31, 2002; David Lee Crosby, succeeding Enola Maxwell, [Seat 3, must have interest in and be knowledgeable regarding juvenile delinquency prevention], unexpired portion of four-year term ending December 31, 2002; Julie Pasadas [residency requirement waived], succeeding Maria Rosa Navarro, [Seat 19, must have interest in and be knowledgeable of juvenile delinquency prevention], unexpired portion of four-year term ending June 30, 2003.)

Resolution No. 245-01
ADOPTED

010213 [Appointment]

Resolution appointing Jerry Rogers, term expiring August 20, 2003, to the Lead Poisoning Prevention Citizens Advisory Committee.

(Jerry Rogers, succeeding Merrill Buice, [Seat 21, must have expertise in non-profit clinics], new 4-year term ending August 20, 2003.)

Resolution No. 248-01
ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of Finance Committee

002067 [Library Fines and Fees]

Ordinance amending the San Francisco Administrative Code by adding Section 8.21-2 to authorize the Library Commission to charge certain fines and fees for the use of library materials and services and ratifying prior fines and fees. (Public Library)

(Supervisor Gonzalez dissenting in Committee.)

Ordinance No. 53-01

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

NEW BUSINESS

Recommendations of the Economic Vitality, Small Business and Social Policy Committee

010141 [Post Non-Discrimination Notice]

Supervisors Leno, Maxwell, McGoldrick, Daly, Newsom

Ordinance amending Section 3303 of the San Francisco Police Code to require employers to post a non-discrimination in employment notice created and distributed by the Human Rights Commission.

Supervisors Daly, Newsom requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

010357 [Liquor License Transfer, 22 Peace Plaza, #160]

Resolution determining that the issuance and transfer of a Type 48 on-sale general public premises liquor license from 1790 Post Street to 22 Peace Plaza #160, District 5, to Akira Abe for "M's Projects, Inc." will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

Resolution No. 250-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of the Finance Committee**010370 [Appropriation, Aging and Adult Services]
Supervisor Daly**

Ordinance appropriating \$1,000,000 for senior program needs and \$1,000,000 for infrastructure needs identified by Aging and Adult Services needs assessment survey for fiscal year 2000-01; placing \$2,000,000 on reserve.

(Fiscal impact.)

(March 26, 2001 - Supervisor Yee dissenting in Board.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Noes: 1 - Yee

Appointment of President Pro Tempore

At the request of the President, Supervisor Peskin assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

**010372 [Treasure Island Cooperative Agreement]
Mayor**

Resolution approving and authorizing the Treasure Island Development Authority to enter into the 13th Modification to the Cooperative Agreement with the Navy to extend the Cooperative Agreement to September 30, 2001 for an additional amount of Navy reimbursement in the amount of \$145,000.

Resolution No. 241-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

010145 [Sublease of Treasure Island Brig Facility for Sheriff's Department]

Resolution approving a sublease, retroactive to July 1, 2000, between the City and County of San Francisco (The "City") and the Treasure Island Development Authority (The "Authority") for certain property on Treasure Island commonly known as the Brig (Buildings 670 and 671) located at the corner of 13th and M Streets on Treasure Island, for an annual rent not to exceed \$250,000 per year. (Real Estate Department)

(Fiscal impact.)

(Supervisor Gonzalez dissenting in Committee.)

Supervisor Leno, at the request of the Sheriff who is out of town, moved to continue this matter to April 9, 2001.

Supervisor Leno, seconded by Supervisor Peskin, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

010440 [Increase of Services of the Budget Analyst for fiscal year 2000-2001]

Motion amending the Agreement for Professional Budget Analyst Services between the City and County of San Francisco and Stanton W. Jones and Associates/Debra A. Newman/Rodriguez, Perez, Delgado & Company Certified Public Accountants/Harvey M. Rose Accountancy Corporation Certified Public Accountants/Louie & Wong LLP Certified Public Accountants - ("A Joint Venture"), to increase the level of service for Fiscal Year 2000-2001 by \$218,208. (Clerk of the Board)

(Fiscal impact.)

Motion No. M01-35

APPROVED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendation of the Neighborhood Services and Parks Committee**002054 [Granting sidewalk encroachment permit to Turner Construction Company during construction operations at 560 Mission Street]**

Resolution granting revocable permission to Turner Construction Company to temporarily close and occupy a portion of the sidewalk and parking lane on the easterly side of Anthony Street, between Mission and Jessie Streets, and a portion of the street area on the southerly side of Jessie Street, during construction operations at 560 Mission Street (Block 3708, Lots 15, 17 and 18). (Public Works Department)

Resolution No. 246-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of the Rules Committee**001951 [Proposed Conflict of Interest Code Amendments]
Supervisor Newsom**

Ordinance amending Article III, Chapter 1 of the San Francisco Campaign and Governmental Conduct Code by adding Sections 3.1-109, 3.1-242, 3.1-252, 3.1-268, 3.1-312 and 3.1-422, amending Sections 3.1-120, 3.1-150, 3.1-155, 3.1-170, 3.1-175, 3.1-190, 3.1-195, 3.1-205, 3.1-215, 3.1-230, 3.1-235, 3.1-245, 3.1-250, 3.1-270, 3.1-275, 3.1-280, 3.1-285, 3.1-310, 3.1-320, 3.1-335, 3.1-345, 3.1-350, 3.1-355, 3.1-365, 3.1-375, 3.1-395, 3.1-410, 3.1-430, 3.1-440, and 3.1-445, and repealing Sections 3.1-115, 3.1-125, 3.1-200, 3.1-225, 3.1-370, 3.1-380, and 3.1-385 to update the list of designated employees who must file financial disclosure statements and to modify the applicable disclosure requirements. (City Attorney)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

001189 [Appointment]

Resolution appointing Emi Gusukuma, Vram Kourmajian, and Phu Nguyen, terms expiring June 6, 2001, and Vera Haile and Jeffrey Chen, terms expiring June 6, 2002, to the Immigrant Rights Commission; waiving residency requirement.

(Vera Haile, succeeding Renato Ecarma, [Seat 1, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco], 2-year term ending June 6, 2002;

Jeffrey Chen, succeeding Marie Lorraine Mallare, [Seat 2, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco], 2-year term ending June 6, 2002;

Emi Gusukuma, succeeding Martin Schenker, [Seat 6, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco], 2-year term ending June 6, 2001;

Vram Kourmajian [residency requirement waived], succeeding Lee Sprague, [Seat 7, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco], 2-year term ending June 6, 2001;

Phu Nguyen, succeeding Nam Thai, [Seat 8, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco], 2-year term ending June 6, 2001.)

(Supervisor Hall dissenting on the appointment of Jeffrey Chen, Seat 2)

Supervisor Hall requested the appointment of Jeffrey Chen be divided so it could be considered separately.

DIVIDED.

Resolution appointing Emi Gusukuma, Vram Kourmajian, and Phu Nguyen, terms expiring June 6, 2001, and Vera Haile, term expiring June 6, 2002, to the Immigrant Rights Commission; waiving residency requirement.

(Vera Haile, succeeding Renato Ecarma, [Seat 1, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco], 2-year term ending June 6, 2001;

Emi Gusukuma, succeeding Martin Schenker, [Seat 6, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco], 2-year term ending June 6, 2001;

Vram Kourmajian [residency requirement waived], succeeding Lee Sprague, [Seat 7, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco], 2-year term ending June 6, 2001;

Phu Nguyen, succeeding Nam Thai, [Seat 8, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco], 2-year term ending June 6, 2001.)

(Supervisor Hall dissenting on the appointment of Jeffrey Chen, Seat 2)

The roll was then called on the remaining four appointments.

Resolution No. 244-01

ADOPTED AS DIVIDED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

010525 [Appointment]

Resolution appointing Jeffrey Chen, term ending June 6, 2002, to the Immigrant Rights Commission.

(Jeffrey Chen, succeeding Marie Lorraine Mallare; Seat 2, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco; 2-year term ending June 6, 2002.)

Divided from File 001189.

After brief discussion, Supervisor Peskin moved this matter be re-referred to Committee.

Supervisor Peskin, seconded by Supervisor Newsom, moved that this Resolution be RE-REFERRED to the Rules Committee. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

010405 [Appointment]

Resolution appointing Supervisor Chris Daly, indefinite term, to the Children and Families Commission.

(Supervisor Chris Daly, succeeding former Supervisor Mabel Teng, [Seat 3, must be a member of the Board of Supervisors] for an indefinite term.)

Resolution No. 251-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

010243 [Rules of Order Amendment]

Supervisors Peskin, Ammiano, Maxwell

Motion amending the Rules of Order of the Board of Supervisors of the City and County of San Francisco to establish a new process for the Board's consideration of Mayoral appointments to the Planning Commission, the Board of Appeals, and the Public Utilities Commission, the new process requiring that the Clerk of the Board prepare and submit for Board consideration a motion approving, and another motion rejecting, each appointment made by the Mayor.

Supervisor Peskin submitted an amendment of the whole, bearing new title.

Supervisor Peskin, seconded by Supervisor Leno, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Motion amending the Rules of Order of the Board of Supervisors of the City and County of San Francisco to establish a new process for the Board's consideration of Mayoral appointments to the Planning Commission, the Board of Appeals, and the Public Utilities Commission, the new process requiring that the Clerk of the Board prepare and submit for Board consideration for each such appointment a motion supporting the appointment, a motion rejecting the appointment, and a motion taking no position on the appointment.

Motion No. M01-34

APPROVED AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Appointment of President Pro Tempore

At the request of the President, Supervisor Peskin assumed the Chair for a brief period.

The President resumed the Chair shortly thereafter.

PUBLIC COMMENT

Sergio Alanan, urge signs be placed to alert citizens accessibility not available and direct them to another entrance during filming at City Hall;
Eula Walters, oppose Davis Street reopening, urge creation of park;
Ernestine Weiss, oppose Butterfly Museum at park on Lot 203;
Betty Wright, civil rights movement, right to address this Board, discrimination, wants apology for calling police during a Board meeting;
Betty McGovern, Carolyn Blair, oppose Davis Street extension;
Carolyn Blair, Diane Martin, heritage tree preservation, funding to protect trees;
Scott Bushman, impacts of SF Airport, noise, exhausts, oppose proposed plant on Airport land for health and environment;
Dr. Russell Long, Elisa Lynch, supports AB1058, greenhouse gas emissions resolution;
Don Hall, supports proposal regarding Housing Authority accountability;
Valerie Tulay, supports declaring March 31 as Cesar Chavez holiday for City employees;
Bruce Allison, funding;
Andrea Ingram, energy crisis;
Mercedes Velasquez, supports building more power plants;
Male speaker, corruption of the democratic party machine, supports Housing Authority legislation;
Male speaker, supports Housing Authority legislation, film commission operations impact on neighborhood parking;
Roger Lucerro, urging re-regulation of utilities, April 3 lobbying efforts;
Edmund, homeless coalition meeting Thursday,
Rodney, political issues, opposes free needle program, financial concerns, no smoking policy;
Frederick Hobson, supports supplemental funding for seniors;
Wallace Levin, thank Supervisor for attending Veterans Day parade, and support for returning flags to City Hall, Battleship;
Sally Ramon, Planning Department employee, experienced personal injury caused by filming during office hours, urge limiting filming to after office hours.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

**010478 [Commendation]
Supervisors Yee, Daly**

Resolution congratulating Dr. John Tsu for being awarded the National Asian Pacific Center on Aging's Lifetime Achievement Award for Advocacy, and proclaiming April 3, 2001 "Dr. John Tsu Day" in San Francisco.

Supervisor Daly requested to be added as co-sponsor.

Resolution No. 253-01

ADOPTED

**010494 [AB 1058, Greenhouse Gas Emissions]
Supervisors Gonzalez, Newsom**

Resolution urging the Governor and State Legislature to support AB 1058 which would require the California Air Resources Board to formulate and implement a program for reduction of carbon dioxide emissions from passenger cars and light-duty trucks within twelve months of the date of enrollment.

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 254-01

ADOPTED

**010495 [Phelan Avenue Pedestrian Safety]
Supervisors Hall, Newsom**

Resolution urging the San Francisco Department of Parking and Traffic to continue its efforts to improve pedestrian safety along Phelan Avenue by continuing to work with Archbishop Riordan High School and City College of San Francisco on further pedestrian safety improvements.

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 260-01

ADOPTED

**010496 [Extension of Planning Commission Review Period]
Supervisor Leno**

Resolution extending the prescribed time within which the Planning Commission may render its decision on proposed ordinances to amend the Planning Code to create the Glen Park Special Use District.

Resolution No. 255-01

ADOPTED

**010497 [SB10, Safe Routes to School Bill]
Supervisors Maxwell, Daly, Hall**

Resolution urging State Senators John Burton and Jackie Speier to support State Senate Bill SB10, the Safe Routes to School Bill.

Supervisors Daly, Hall requested to be added as co-sponsors.

Resolution No. 256-01

ADOPTED

**010498 [Commendation]
Supervisor Daly**

Resolution commending lesbian activist, artist, writer and outreach worker, Delphine Brody.

Resolution No. 257-01
ADOPTED

**010499 [Commendation]
Supervisor Newsom**

Resolution congratulating Seven Tepees Youth Program for its outstanding commitment to inner city youth.

Resolution No. 258-01
ADOPTED

**010475 [Meeting Schedule]
Supervisor Ammiano**

Motion calling a special meeting of the Board of Supervisors for Monday, April 2, 2001, at 10:00 a.m. to consider matters, which normally would be considered at the regular meeting of April 2, 2001 at 2:00 p.m., and cancelling the regular meeting of April 2.

Motion No. M01-36
APPROVED

**010509 [Budget Town Hall Meetings]
Supervisors Leno, Peskin, Gonzalez, Hall**

Motion urging the Clerk of the Board of Supervisors to coordinate with interested members of the Board of Supervisors, the Budget Analyst, the Mayor's Office, the Chair of the Finance Committee and all City Departments to create District Town Hall Budget Meetings that allow citizens of San Francisco greater input into this year's budget process.

Supervisor Hall requested to be added as co-sponsor.

Motion No. M01-37
APPROVED

**010510 [Extend Time for Negotiations]
Supervisor Newsom**

Motion extending time for negotiations pursuant to Charter Section 11.100.

Motion No. M01-38
APPROVED

**010511 [Needle Exchange]
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M01-39
APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 1 - Yee

Appointment of President Pro Tempore

At the request of the President, Supervisor Daly assumed the Chair for a brief period.

The President resumed the Chair shortly thereafter.

Severed From For Adoption Without Committee Reference Agenda

010482 [Davis Street]
Supervisor Peskin

Resolution strongly urging the Department of Public Works to delay the commencement of the construction project related to the opening of Davis Street until which time City, State and Federal agencies responsible for funding the Mid-Embarcadero Roadway Project determine whether Davis Street can be deleted as a phase of the Embarcadero Roadway Project or replaced with an alternative project.

Supervisor Peskin requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Resolution No. 259-01

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval

Absent: 2 - Newsom, Yee

010399 [Final Map for a 16 Unit Live/Work Condominium Project]

Motion approving Final Map of 128 Morris Street, a Live/Work Condominium Project, being a subdivision of Lot 50, Assessor's Block No. 3778, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,849.)

Supervisor McGoldrick requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor McGoldrick requested this matter be continued to April 2, 2001.

Supervisor McGoldrick, seconded by Supervisor Leno, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval

Absent: 2 - Newsom, Yee

**010480 [Planning Department Audit]
Supervisors McGoldrick, Sandoval**

Motion requesting that a management audit of the Planning Department be added to the audit workplan, be given priority on this workplan, and be conducted at the earliest juncture.

Supervisor McGoldrick requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Sandoval requested to be added as co-sponsor.

Supervisor McGoldrick requested this matter be continued to April 2, 2001.

Supervisor McGoldrick, seconded by Supervisor Leno, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval

Absent: 2 - Newsom, Yee

**010481 [Amending proposed schedule of management audits of City and County Departments]
Supervisor McGoldrick**

Motion amending proposed schedule of management audits to be conducted of programs of City and County Departments by the Budget Analyst.

Supervisor McGoldrick requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor McGoldrick requested this matter be continued to April 2, 2001.

Supervisor McGoldrick, seconded by Supervisor Leno, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval

Absent: 2 - Newsom, Yee

010486 [Final Map for a 10 Unit Live/Work Condominium Project]

Motion approving Final Map of 699 Pennsylvania Avenue, a Live/Work Condominium Project, being a subdivision of Lot 2, Assessor's Block No. 4104, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,851.)

Supervisor McGoldrick requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor McGoldrick requested this matter be continued to April 2, 2001.

Supervisor McGoldrick, seconded by Supervisor Leno, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval

Absent: 2 - Newsom, Yee

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**010487 [Double Parking]
Supervisor Newsom**

Ordinance amending Traffic Code Section 53 to extend the ordinance for one year.

3/19/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

3/26/01, SUBSTITUTED. Supervisor Newsom submitted a substitute ordinance bearing new title.

3/26/01, ASSIGNED to Housing, Transportation and Land Use Committee.

**010526 [Single Room Occupancy Visitor Policy]
Supervisors Daly, Newsom**

Ordinance amending Police Code by adding a new Section 919.1 to prohibit charges for visitors to guests and occupants of Residential Hotels, and to prohibit operators from restricting visitors to guests and occupants of Residential Hotels except in accordance with a Residential Hotel Visitor Policy approved by the Single Room Occupancy Safety and Stabilization Task Force; amending Administrative Code Sections 37.9(a)(1) and (2) to provide that a Residential Hotel occupant's failure to pay a charge prohibited by Police Code Section 919.1 shall not constitute non-payment of rent or violation of a condition or obligation of tenancy; and amending the Administrative Code by adding a new Chapter 41D to authorize the Single Room Occupancy Safety and Stabilization Task Force to establish criteria for, and to approve Residential Hotel Visitor Policies.

3/26/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 4/25/2001.

**010527 [Establishment of Housing Commission]
Supervisor Gonzalez**

Ordinance amending Chapter 2 of the San Francisco Administrative Code by adding Article III thereto; establishing a Housing Commission pursuant to Section 34291 of the California Health and Safety Code to be appointed by the Board of Supervisors; establishing the qualifications and terms for members; and establishing the powers and duties of the Commission.

3/26/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/25/2001.

**010529 [Cesar Chavez City Holiday]
Supervisors Sandoval, Gonzalez, Daly, McGoldrick, Maxwell, Ammiano**

Ordinance amending Chapter 16, Article 1 of the San Francisco Administrative Code by adding Section 16.5 to create an official holiday for March 31st, the birthday of Cesar Chavez.

3/26/01, RECEIVED AND ASSIGNED to Rules Committee.

**010528 [Redefine Live/Work as Loft Housing and Classify them as Residential Uses]
Supervisors Hall, Maxwell, McGoldrick, Peskin, Sandoval, Yee**

Ordinance amending the Planning Code by amending Sections 102.7 and 102.13 to redefine "live/work" units as "loft housing" and classify them as residential uses, by repealing Section 233 (Live/Work Units), and by adding new Section 232 (Loft Housing) that subjects loft housing to both existing live/work controls and also to additional controls that permit loft housing where housing is permitted, require a conditional use where housing requires a conditional use and require a conditional use where live/work is currently permitted, that require the loft housing unit to be the primary residence of at least one of the occupants, that provide there will be no accessory use limitations or restrictions on the nature of work which could be performed in the unit (with some exceptions) and no requirement that any of the occupants work in the unit, that require loft housing to comply with existing inclusionary housing policies, that set density limits for loft housing projects, that authorize the Planning Commission to permit additional height up to 20 feet within the South of Market Residential Service District (RSD) in return for additional affordable housing, that require loft housing constructed in a residential zoning district to comply with all requirements for residential uses including the Residential Design Guidelines, that require loft housing constructed in areas not zoned residential to comply with adopted design guidelines and all requirements for residential uses except for height, front setback and open space requirements, that require conditional use authorization to convert loft housing units or previously existing live/work units to entirely office space, and that establish a 15-foot rear yard requirement subject to modification; providing that this ordinance supersedes any inconsistent Planning Commission policies; requiring the Planning Department to complete its rezoning studies of the IPZs and forward appropriate rezoning legislation to the Board by December 31, 2001; adopting findings.

3/26/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee. 03/29/01 - Transmitted to Planning Commission for public hearing and recommendation.

Resolutions

**010530 [Children's Internet Protection Act]
Supervisor Yee**

Resolution urging the School District and Library Commission to comply with the Children's Internet Protection Act.

3/26/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

**010531 [Board of Supervisors as Governing Body]
Supervisor Gonzalez**

Resolution rescinding that portion of Resolution No. 3874 requesting the Mayor to appoint commissioners of the Housing Authority of the City and County of San Francisco, and declaring the Board of Supervisors to be the Commissioners of the Housing Authority.

3/26/01, RECEIVED AND ASSIGNED to Rules Committee.

**010532 [Bicycle Transit Improvements at Cesar Chavez]
Supervisors Maxwell, Ammiano, Newsom**

Resolution approving the Cooperative Agreement between the City and County of San Francisco and the State of California Department of Transportation concerning the construction and financing of a bicycle overcrossing and at-grade pedestrian/bicycle path widening on Highway 101 at Cesar Chavez Street in San Francisco and directing and ratifying certain actions in connection with this Resolution.

3/26/01, RECEIVED AND ASSIGNED to Finance Committee.

010533 [Live/Work Task Force]
Supervisors Ammiano, Daly, Leno, Maxwell, McGoldrick, Peskin, Sandoval

Resolution establishing a Live/Work Task Force to develop recommendations for consideration by the Board of Supervisors as to City policy on live/work development and related issues, establishing the membership of the Task Force and method of appointment of its members, directing the Task Force to establish its rules of operation including receiving testimony from the public on issues related to live/work development and proposed recommendations, directing the Clerk of the Board of Supervisors to provide such staff support as may be necessary to comply with the Sunshine Ordinance, urging the Task Force to report back to the Board of Supervisors by May 31, 2001 and providing that the Task Force shall sunset its operations as June 31, 2001.
3/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010534 [AB 869, Arts and Education, Public Schools]
Supervisors Ammiano, Peskin, Newsom

Resolution supporting Assembly Bill 869 strengthening arts and education in California's Public Schools.
3/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010535 [Caltrain Bike Station]
Supervisors Hall, Daly, Leno, Maxwell, Peskin, Newsom

Resolution encouraging the Peninsula Corridor Joint Powers Board (Caltrain) to accept and expend funds to construct a bike station at Caltrain's 4th and King Streets station; and urging the San Francisco Department of Parking and Traffic and the San Francisco Department of the Environment to investigate all potential funding sources for operating expenses and to support the successful launch of a bike station operation.
3/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010536 [Business tax litigation funds for San Francisco youth]
Supervisor Sandoval

Resolution requesting that businesses included in the settlement of the "Business Tax Litigation" spend settlement monies, other than those needed to pay for legal fees, on programs for San Francisco youth.
3/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010537 [Million Mom March]
Supervisor Ammiano

Resolution in support of the Million Mom March working toward sensible gun laws in the United States.
3/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010538 [Commendation]
Supervisors Peskin, Newsom**

Resolution commending The Arc San Francisco on its grand opening of its affordable housing and senior services center at 416 Bay Street.

3/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010539 [State Grant]
Mayor, Supervisors Maxwell, Sandoval**

Resolution authorizing the Mayor's Criminal Justice Council (MCJC) to accept and expend funds in the amount of \$2,831,103 from the State Board of Corrections, from funds made available under Assembly Bill 1913 - known as the Schiff-Cardenas Crime Prevention Act of 2000 (CPA 2000), for programs and approaches that have been demonstrated to be effective in reducing delinquency.

3/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendment

**010540 [Vacancy in an Elective Office]
Supervisors McGoldrick, Ammiano**

Charter amendment (First Draft) to amend Sections 2.102, 3.102, 6.107, 8.100 and 8.101 to shorten the period following a vacancy in an elective office before there is an election to fill the unexpired term.

3/26/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/25/2001.

Requests for Hearing

**010541 [Branch Library Construction/Affordable Housing Partnerships]
Supervisor Daly**

Hearing to consider plans to renovate branch libraries, and assess the feasibility of adding affordable rental and limited-equity housing.

3/26/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

**010542 [Information Technology and Temporary Workers]
Supervisor Daly**

Hearing to study the report of the Legislative Analysts on Information Technology and Temporary Workers.

3/26/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**010543 [Civil Grand Jury, Film and Video Arts Commission]
Supervisor Daly**

Hearing to consider the Civil Grand Jury report on Film and Video Arts Commission activities specifically: (1) the disposition of funds in the Film Special Production Fund; (2) program or other proactive measure taken in fulfillment of the City's long-term goal regarding the expansion of the San Francisco film industry; (3) qualifications of prospective commissioners; (4) delegation of neighborhood liaison functions to the film companies.

3/26/01, RECEIVED AND ASSIGNED to Rules Committee.

**010544 [Police and Sheriff Sensitivity Training]
Supervisors Leno, Ammiano**

Hearing to consider cost and feasibility of expanding the police and sheriff's sensitivity training programs for interaction with the lesbian, gay, bisexual and transgender communities with a mandate for training all members of both Departments, not just new recruits.

3/26/01, RECEIVED AND ASSIGNED to Finance Committee.

**010545 [Potrero Hill Power Plant]
Supervisors Maxwell, Ammiano, Leno**

Hearing to consider briefing and policy recommendations from the Board's Potrero Hill Power Plant Task Force and to examine its broader energy policy, including the proposed power plant at the Airport, the Hunters Point Power Plant, public power, and a broader City energy plan.

3/26/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee. Sponsor requests this item be scheduled for consideration at the April 24, 2001 meeting.

**010547 [Update to Housing and Residence Element]
Supervisor McGoldrick**

Hearing on the preparation by the Planning Department of update to San Francisco's housing/residence element required to be completed this year under state law, as well as efforts which have been undertaken to implement the City's existing housing/residence element.

3/26/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

Motions

**010524 [Department of Public Health]
Supervisor Ammiano**

State of the City's Health Report from Director, Department of Public Health.

3/26/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration April 9, 2001, Special Order at 3:00 p.m.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

**010476 [Parking regulations, commercial vehicle with a gross weight in excess of 10,000 pounds]
Supervisor Yee**

Ordinance amending Traffic Code by amending Sections 63 and 63(a) thereof, relating to commercial vehicle parking in certain use districts. (Parking and Traffic Department)
3/21/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee. April 10, 2001 - Supervisor Yee requested to be added as sponsor.

PROPOSED RESOLUTIONS

010472 [Extension of real property lease at 575 Polk Street]

Resolution authorizing exercise of option regarding an extension of a real property lease at 575 Polk Street, on behalf of the Superior Court of San Francisco. (Real Estate Department)
3/16/01, RECEIVED AND ASSIGNED to Finance Committee.

010473 [Acquisition of noise easements for insulation of four religious assembly buildings and one skilled-nursing facility]

Resolution authorizing the acquisition of 5 noise easements for properties located in the City of San Bruno. (Real Estate Department)
3/19/01, RECEIVED AND ASSIGNED to Finance Committee.

010474 [Settlement of Claim]

Resolution approving the settlement of the unlitigated claim filed by Kathleen Kuda against San Francisco for \$87,500; claim was filed on November 3, 2000; additional material term of said settlement is the signing of a release of CF liability against the City and County of San Francisco. (City Attorney)

(Claim Number 01-01214.)

3/20/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

010477 [Federal grant for the Light Rail Street Resurfacing Project]

Resolution authorizing the Department of Public Works to accept and expend a grant in the amount of \$2,342,000 in Federal Revenue-Aligned Budget Authority (RABA) funds with required local matching funds of \$303,431 for the 3rd Street Light Rail Street Resurfacing Project. (Public Works Department)
3/20/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

010479 [Grant funds for Traffic Collision Records Management System]

Resolution authorizing the Department of Parking and Traffic to retroactively apply for, accept and expend a grant in the amount of \$60,000 from the State of California-Office of Traffic Safety for implementation of a comprehensive traffic collision records management system. (Parking and Traffic Department)

3/21/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

Requests Granted

From: Supervisor Ammiano

To: Director, Administrative Services

Requesting/Inquiring: Inquiring what the process is for obtaining a permit to film on City Hall grounds, and specifically requesting input on how the planning, scheduling, and notification aspects of the process could be improved.

From: Supervisor Ammiano

To: All City Department Heads

Requesting/Inquiring: In conjunction with the City Attorney, to request from all City Department Heads confidential information concerning lead paint abatement efforts for use in litigation by responding to the following questions:

1) Have you had to detect, test, monitor, provide maintenance, screen individuals for or abate the presence of lead paint? For example, has your department been required to remove lead paint for occupation or remodeling of any facility managed by your department? If so, please list date, location, type of work performed and by whom.

2) Please provide all costs, if any, that your department has incurred from lead paint abatement efforts as described in question one or otherwise. This would include staff costs and time in addition to out of pocket expenses.

Your confidential response is to be sent directly to City Attorney Louise Renne (City Hall, Room 234, Attn: Kyri McClellan).

From: Supervisor Daly

To: Director, Department of Human Services

To: Director, Mayor's Office on Homelessness

Requesting/Inquiring: That the Directors of the Department of Human Services and Mayor's Office on Homelessness investigate and report the annual census of shelter beds for each of the last six years, with emergency winter shelter beds counted separately.

What has the number of persons turned away from shelter been during the same period?

What has the number of shelter residents accessing permanent housing been on an annual basis for the last six years?

What is the number of emergency housing vouchers made available for each of the last six years, by duration?

From: Supervisor Daly

To: Chief, Police Department

Requesting/Inquiring: To investigate and report on the number of citations issued for homelessness related infractions (sleeping in parks, camping in parks, blocking the sidewalk, public urination, lodging, aggressive panhandling, open container) annually over the last six years?

What is the estimated number of staff hours and dollars spent on enforcing these "quality of life" violations?

From: Supervisor Daly

To: Director, Mayor's Office on Housing

Requesting/Inquiring: To investigate and report on the number of formerly homeless people placed in permanent housing annually for each of the last six years?

What is the number of people waiting for housing who are currently homeless or marginally housed?

What is the number of new affordable housing units constructed specifically for formerly homeless people in the last six years, and how many will be built in the next four years?

From: Supervisor Daly

To: Director, San Francisco Housing Authority

Requesting/Inquiring: To investigate and report on the number of formerly homeless people placed in public housing or receiving Section 8 for each of the last six years?

What is the number of people waiting for Section 8 housing who are currently homeless or marginally housed?

What is the number of public housing units developed or built specifically for formerly homeless people in the last six years, and how many will be built in the next four years.

From: Supervisor Daly

To: Director, Redevelopment Agency

Requesting/Inquiring: To investigate and report on the number of people living with AIDS/HIV waiting for housing who are currently homeless or marginally housed.

What is the number of formerly homeless people living with AIDS/HIV provided with housing assistance for each of the last six years?

What is the number of emergency housing vouchers for people living with AIDS/HIV made available for each of the last six years, by duration?

From: Supervisor Daly

To: Director, Department of Building Inspection

Requesting/Inquiring: To investigate and report on the number of residential hotel rooms in San Francisco.

How many of these rooms currently have permanent residents? How many are offline due to fire, rehabilitation, etc.?

What is the number of tourist hotel rooms in buildings that are more than 50% residential?

From: Supervisor Daly

To: Chief, Fire Department Requesting/Inquiring: To investigate and report how much housing has been lost to fire over the last six years.

How many men, women, children and families have been left homeless by fire for each of the last six years?

How much money has been spent annually fighting fires in residential hotels for each of the last six years?

From: Supervisor Gonzalez

To: Director, Mayor's Press Office

Requesting/Inquiring: Inquiring as to the number of staff, individual salaries, and corresponding responsibilities in the Mayor's Office of Press.

From: Supervisor Leno

To: City Attorney

Requesting/Inquiring: To draft legislation to require project sponsors to notify surrounding neighbors specifically that proposed projects will render neighboring buildings out of compliance with code if the proposed projects seeking permits would render neighboring buildings out of compliance with code.

From: Supervisor Leno

To: City Attorney

Requesting/Inquiring: To draft legislation to prohibit filtering of internet access on all computers owned by the City or accessed by the public.

From: Supervisor Leno

To: City Attorney

Requesting/Inquiring: To draft legislation to require the Planning Commission and the Board of Permit Appeals to secure the approval of both concerned parties (project sponsors and opponents) for discretionary review and conditional use hearing delays or accelerations once the hearing has been noticed on Sunshine Ordinance required meeting agendas.

From: Supervisor Leno

To: City Attorney

Requesting/Inquiring: To draft legislation to require construction and demolition project sponsors to maintain a complete file for Planning Commission and Permit Appeal hearings, with the complete file including original applications for the permits being considered, all plans for construction that are to be referenced during hearings and other pertinent materials for issuance of the permit.

From: Supervisor Leno

To: City Attorney

Requesting/Inquiring: To draft legislation to require that year long time limits be placed for issuance of permits after environmental review and final Planning Commission review, considering that one year time limits have been deemed the appropriate restriction applied by the California Permit Streamlining Act.

From: Supervisor McGoldrick

To: Director, Planning Department

Requesting/Inquiring: To notify the director that committee hearing has been called to consider 1) preparation by the Planning Department of an update to San Francisco's housing/residence element required to be completed this year under state law, as well as efforts which have been undertaken to implement the City's existing housing/residence elements; 2) the role played by his office in the provision of affordable housing in the city; and 3) efforts by his office to provide long-range, community-based planning for development in the City and will be scheduled before the Housing, Transportation and Land Use Committee on April 12, 2001 at 1:00 p.m. File 010547

From: Supervisor Newsom

To: Chief, Police Department

To: District Attorney

Requesting/Inquiring: That the District Attorney and the Chief of Police investigate and report the number of arrests and convictions for malicious mischief due to vandalism of bus shelters over the last three years.

From: Supervisor Sandoval

To: Rite Aid Corp.

To: Lu-Owyang, LLC

Requesting/Inquiring: Inquiring how the near-blighted property at 4550-4564 Mission Street leased to Rite Aid Corporation will be used and maintained since an empty storefront of that size has a negative impact on surrounding businesses and the community in general. It is also our understanding that due to recent financial hardship Rite Aid Corporation is not able to open a new branch in that location in the near future. The site is currently vacant and boarded up, and is an eyesore in the community.

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

James T. Yee (Supervisor Daly)

ADJOURNMENT

There being no further business, the Board at the hour of 5:12 p.m adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 21, 2001.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.

Monday, April 2, 2001 10:00 AM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Special Rescheduled Meeting

JUL 16 2001
SAN FRANCISCO
PUBLIC LIBRARY

TOM AMMIANO, PRESIDENT

**CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE MCGOLDRICK, GAVIN NEWSOM
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE**

Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Audit, Labor and Government Efficiency Committee

Supervisors Newsom, Daly, McGoldrick

City and School District Committee

Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynns, Commissioner Mar

Economic Vitality, Small Business and Social Policy Committee

Supervisors Sandoval, Newsom, Maxwell

Finance Committee

Supervisors Leno, Peskin, Gonzalez

Housing, Transportation and Land Use Committee

Supervisors McGoldrick, Daly, Peskin

Neighborhood Services and Parks Committee

Supervisors Yee, Hall, Sandoval

Public Health and Environment Committee

Supervisors Maxwell, Yee, Leno

Public Utilities and Deregulation Committee

Supervisors Daly, Gonzalez, Ammiano

Rules Committee

Supervisors Gonzalez, Hall, Ammiano

Meeting Days

2nd & 4th Tuesday
1:00 PM

Call of the Chair

1st & 3rd Tuesday
10:00 AM

Wednesday
10:00 AM

2nd & 4th Thursday
10:00 AM

1st & 3rd Tuesday
1:00 PM

2nd & 4th Tuesday
10:00 AM

Call of the Chair

1st & 3rd Thursday
1:00 PM

First-named Supervisor/Commissioner is Chair. Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in special rescheduled session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 10:06 a.m. On call of the roll, all members were noted present.

Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Leno, seconded by Supervisor Newsom, moved to APPROVE the February 20 and February 26, 2001 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled or considered differently.

The President indicated the matters relating to settlement of business tax lawsuits; settlement of obligation bond issuance; settlement of obligation bond sale; business tax gross receipts; Files 010437, 010512, 010513, 010274. (See infra.)

Supervisor Maxwell indicated the matters relating to India Basin Industrial Park Development Project; grant for Mayor's Criminal Justice Council; Files 002092, 001861, 010539. (See infra.)

Supervisor McGoldrick indicated the matters relating to Planning Department Audit; schedule of management audits; Files 010480, 010481. (See infra.)

Supervisor Daly indicated the matter relating to business tax litigation funds for youth; File 010536. (See infra.)

CONSENT AGENDA

Recommendation of the Audit, Labor and Government Efficiency Committee

010442 [Bank ATM Fees]

Resolution criticizing the United States Comptroller of the Currency's proposed amendment to regulation 12 C.F.R. Section 7.4002(d), which would delete language requiring the Comptroller of the Currency to review National Bank Act preemption of state or local laws limiting national banks' non-interest fees on a case-by-case basis, and urging the Comptroller to withdraw the proposed change. (City Attorney)

Resolution No. 268-01

ADOPTED

Recommendation of the Economic Vitality, Small Business and Social Policy Committee

010141 [Post Non-Discrimination Notice]

Supervisors Leno, Maxwell, McGoldrick, Daly, Newsom

Ordinance amending Section 3303 of the San Francisco Police Code to require employers to post a non-discrimination in employment notice created and distributed by the Human Rights Commission.

Ordinance No. 59-01

FINALLY PASSED

Recommendations of the Housing, Transportation and Land Use Committee

010253 [Stop Intersections]

Supervisor Newsom

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Duncan and Sanchez Streets, northwest and southeast corners, stopping Sanchez Street (makes this an all-way STOP)

Ingalls Street and Carroll Avenue, northeast and southwest corners, stopping Ingalls Street (makes this an all-way STOP)

Jennings Street and Egbert Avenue, northeast and southwest corners, stopping Jennings Street (makes this an all-way STOP)

Sunnydale and Garrison Avenues, northeast corner, stopping westbound Sunnydale Avenue (makes this T-intersection an all-way STOP) (Parking and Traffic Department)

(DPT Order No.2159.)

Supervisor Newsom requested to be added as sponsor.

Resolution No. 262-01

ADOPTED

010254 [Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - RESCIND

San Bruno Avenue, west side, from north terminus north of 18th Street to 32 feet southerly (32-foot zone to replaced with a longer zone)

NO PARKING ANYTIME - ESTABLISH

San Bruno Avenue, west side, from north terminus north of 18th Street to 50 feet southerly (50-foot zone, replacing and extending existing zone)

UNMETERED MOTORCYCLE PARKING - ESTABLISH

16th Street, north side, from 8th Street to 35 feet easterly (35-foot zone, accommodating 10 motorcycle spaces) (Parking and Traffic Department)

(DPT Order No. 2159.)

Resolution No. 263-01

ADOPTED

010401 [Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

18th Street, both sides, between 3rd and Illinois Streets

19th Street, both sides, between 3rd and Illinois Streets

Illinois Street, west side, from 19th Street to a point 271 feet south of 18th Street (129-foot zone) (Parking and Traffic Department)

Resolution No. 266-01

ADOPTED

010561 [Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Folsom Street, both sides, from 6th Street to 30 feet westerly (30-foot zone, along 18-foot wide sidewalk bulb)

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Kearny Street, west side, from Francisco Street to 30 feet southerly (30-foot zone) (Parking and Traffic Department)

(DPT Order No. 2159.)

Resolution No. 273-01

ADOPTED

Recommendation of the Rules Committee

001951 [Proposed Conflict of Interest Code Amendments] Supervisor Newsom

Ordinance amending Article III, Chapter 1 of the San Francisco Campaign and Governmental Conduct Code by adding Sections 3.1-109, 3.1-242, 3.1-252, 3.1-268, 3.1-312 and 3.1-422, amending Sections 3.1-120, 3.1-150, 3.1-155, 3.1-170, 3.1-175, 3.1-190, 3.1-195, 3.1-205, 3.1-215, 3.1-230, 3.1-235, 3.1-245, 3.1-250, 3.1-270, 3.1-275, 3.1-280, 3.1-285, 3.1-310, 3.1-320, 3.1-335, 3.1-345, 3.1-350, 3.1-355, 3.1-365, 3.1-375, 3.1-395, 3.1-410, 3.1-430, 3.1-440, and 3.1-445, and repealing Sections 3.1-115, 3.1-125, 3.1-200, 3.1-225, 3.1-370, 3.1-380, and 3.1-385 to update the list of designated employees who must file financial disclosure statements and to modify the applicable disclosure requirements. (City Attorney)

**Ordinance No. 58-01
FINALLY PASSED**

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Severed From Consent Agenda

Recommendations of the Finance Committee

010146 [Lease of property at 1360 Mission Street for DPH-Employee Assistance Program]

Resolution authorizing a new lease of real property currently occupied by the City under the terms of an earlier lease at 1360 Mission Street, San Francisco, for a term of three years commencing retroactively as of July 1, 2000 at an initial monthly rent of \$8,000 per month for the Employee Assistance Program of the Department of Public Health. (Real Estate Department)

Supervisor Sandoval requested this matter be severed so it could be considered separately.

SEVERED FROM CONSENT AGENDA.

Resolution No. 261-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Appointment of President Pro Tempore

At the request of the President, Supervisor Daly assumed the Chair for a brief period.

The President resumed the Chair shortly thereafter.

010356 [TRW Contract Modification No. 6 - Software and Professional Services for the Combined Emergency Communication Center]

Resolution authorizing the E-911 Project Director to execute a modification to the contract with TRW for an amount not to exceed \$536,210; placing funds in the amount of \$1,500,000 for liquidated damages on reserve. (Mayor)

(Fiscal impact.)

Supervisor Sandoval requested this matter be severed so it could be considered separately.

SEVERED FROM CONSENT AGENDA.

Resolution No. 265-01

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 2 - Sandoval, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Finance Committee

**010370 [Appropriation, Aging and Adult Services]
Supervisor Daly**

Ordinance appropriating \$1,000,000 for senior program needs and \$1,000,000 for infrastructure needs identified by Aging and Adult Services needs assessment survey for fiscal year 2000-01; placing \$2,000,000 on reserve.

(Fiscal impact.)

(March 26, 2001 - Supervisor Yee dissenting in Board.)

Ordinance No. 60-01

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Yee

Recommendation of the Housing, Transportation and Land Use Committee

010232 [Ellis Act Revisions]

Supervisors Daly, Ammiano, Gonzalez, McGoldrick

Resolution urging members of the State Legislature to introduce amendments to the Ellis Act to prevent evictions.

Resolution No. 275-01

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 3 - Hall, Newsom, Yee

NEW BUSINESS**Recommendations of the Finance Committee**

002197 [Parking station regulations]

Supervisors Leno, Peskin, Gonzalez, Sandoval, Newsom, Daly

Ordinance adding Article 49 Sections 4901 to 4916 to the San Francisco Police Code to require parking stations to have revenue control equipment and to provide receipts to occupants, to have appropriate signage, to provide that the Department of Consumer Assurance will confirm accuracy of revenue control equipment, and to provide for criminal or civil penalties for violations and amending Section 6.6-1 the San Francisco Business and Tax Regulation Code to allow revocation of a certificate of authority for failure to comply with the provisions of the Police Code.

Supervisors Sandoval, Newsom requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

010402 [Pre-Tax Payroll Deduction Plan]

Resolution allowing additional payroll deductions from salary to be pre-tax in accordance with CalPERS retirement plan requirements. (Human Resources Department)

Resolution No. 267-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 1 - Yee

Motion to convene as a Committee of the Whole

President Ammiano, seconded by Supervisor Leno, moved that the Board of Supervisors meet as a Committee of the Whole concerning the four matters relating to settlement of business tax lawsuits (Files 010437, 010512, 010513, 010274) on April 9, 2001 at 5:00 p.m. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee

Excused: 1 - Newsom

010437 [Settlement of business tax lawsuits; authorization to make binding settlement offers; authorization to settle unlitigated claims]

Supervisors Peskin, Leno, Hall, Maxwell, Yee

Ordinance authorizing settlement of the lawsuits filed by Eastman Kodak Company and General Motors Corporation versus the City and County of San Francisco by payment of a total amount not to exceed \$112,889.78 plus interest; the Eastman Kodak lawsuit was filed on April 22, 1999 in San Francisco Superior Court, Case No. 302983 (Court of Appeal No. A091910), entitled Eastman Kodak Company v. City and County of San Francisco; the General Motors lawsuit was filed on February 24, 1999 in San Francisco Superior Court, Case No. 301510 (Court of Appeal A091914), entitled General Motors Corporation v. City and County of San Francisco; the other material terms of the settlements are that the settlements shall include any claims for the 2000 tax year, plaintiffs shall not file any claims for refunds otherwise due pursuant to any repeal of the gross receipts tax ordinance for the 2000 tax year, the plaintiffs shall agree to join in an application for a stipulated reversal of the trial court decisions pursuant to California Code of Civil Procedure Section 128; authorizing the City Attorney to make offers to allow judgment pursuant to California Code of Civil Procedure Section 998 in various business tax cases, for a total amount not to exceed \$63,980,109.06; and further authorizing settlement of unlitigated claims, for a total amount not to exceed \$380,576.16.

(Supervisor Gonzalez dissenting in Committee.)

Supervisor Leno, seconded by Supervisor Peskin, moved to excuse Supervisor Newsom from voting on this matter. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Supervisor McGoldrick requested his name be removed as co-sponsor.

Supervisor Leno, seconded by Supervisor Peskin, moved that this Ordinance be CONTINUED ON FIRST READING. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee

Excused: 1 - Newsom

**010512 [Settlement of Obligation Bond Issuance]
Supervisor Peskin**

Resolution providing for the issuance of not to exceed \$69,060,000 aggregate principal amount of City and County of San Francisco Settlement Obligation Bonds, Series 2001 (Business Tax Judgment); authorizing the execution, authentication and registration of said bonds; providing for an annual appropriation to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts relating thereto; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact; companion measure to File 010513.)
(Supervisor Gonzalez dissenting in Committee.)

Supervisor Leno, seconded by Supervisor Peskin, moved to excuse Supervisor Newsom from voting on this matter. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Supervisor Ammiano moved to continue consideration to April 9, 2001.

President Ammiano, seconded by Supervisor Leno, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Excused: 1 - Newsom

**010513 [Settlement of Obligation Bond Sale]
Supervisor Peskin**

Resolution authorizing and directing the sale of not to exceed \$69,060,000 City and County of San Francisco Settlement Obligation Bonds, Series 2001 (Business Tax Judgment); prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts relating thereto; approving the forms of the Official Notice of Sale and the Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form and execution of the Official Statement relating thereto; approving the form of the Continuing Disclosure Certificate; approving modifications to the documents approved herein; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact.)
(Supervisor Gonzalez dissenting in Committee.)

Supervisor Leno, seconded by Supervisor Peskin, moved to excuse Supervisor Newsom from voting on this matter. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Supervisor Ammiano moved to continue consideration to April 9, 2001.

President Ammiano, seconded by Supervisor Leno, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Excused: 1 - Newsom

From Finance Committee Without Recommendation**010274 [Business Tax Gross Receipts]**

Supervisors Gonzalez, Peskin, Maxwell, Hall, Sandoval, Daly, McGoldrick

Ordinance amending the Business and Tax Regulations Code to (1) repeal Section 917.1 of Article 12-A and all of Article 12-B to eliminate the gross receipts method of calculating the tax on businesses; (2) enact a new Article 12 to amend business registration requirements consistent with the repeal of Article 12-B; and (3) enact a new Article 12-B to refund gross receipts-based tax payments for the 2000 tax year to the extent that such payments exceeded businesses' tax liability for such year as measured by their payroll expense.

(Fiscal impact.)

Supervisor Leno, seconded by Supervisor Peskin, moved to excuse Supervisor Newsom from voting on this matter.

The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Supervisor Ammiano moved to continue consideration to April 9, 2001.

President Ammiano, seconded by Supervisor Leno, moved that this Ordinance be CONTINUED ON FIRST READING. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee

Excused: 1 - Newsom

Recommendations of the Housing, Transportation and Land Use Committee**010278 [Valencia Bike Lane]**

Supervisor Leno

Resolution establishing permanent bicycle lanes on Valencia Street.

Resolution No. 264-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 1 - Yee

010400 [Placement of PVC pipes across Miramar Avenue at 1490 Ocean Avenue]

Resolution granting revocable permission to Tosco to occupy a portion of the street area under Miramar Avenue for the purpose of installing and maintaining four (4) schedule 80 polyvinyl chloride pipe (PVC) as part of a recovery/clean up system. (Public Works Department)

(DPW Order No. 172,740.)

Supervisor Sandoval requested this matter be continued to April 9, 2001.

Supervisor Sandoval, seconded by Supervisor Newsom, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 1 - Yee

SPECIAL ORDER 11:00 A.M.**002092 [Public Hearing]**

Hearing to consider proposed Ordinance approving and adopting an amendment to the Redevelopment Plan for the India Basin Industrial Park Development Project Area (Ordinance No. 26-69, amended by Ordinance Nos. 474-86, 141-87 and 416-94) to modify the use restrictions and reduce the parking and loading requirements for Lot 23 of Assessor's Block 5203 within the Redevelopment Plan Area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan amendment is consistent with the City's General Plan and Eight Priority Policies of the City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment law.

(Final Negative Declaration issued on October 18, 2000; Redevelopment Agency report dated October 2000 to the Board of Supervisors for the India Basin Industrial Park Redevelopment Plan Amendment.)
(Companion measure to File 001861.)

Supervisor Maxwell moved to continue consideration to May 14, 2001.

Supervisor Maxwell, seconded by Supervisor Leno, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

From Redevelopment Agency**001861 [Amendment to the India Basin Industrial Park Redevelopment Plan to modify use restrictions and parking and loading requirements]
Supervisor Katz**

Ordinance approving and adopting an amendment to the Redevelopment Plan for the India Basin Industrial Park Development Project Area (Ordinance No. 26-69, amended by Ordinance Nos. 474-86, 141-87 and 416-94) to modify the land use provisions and reduce the parking and loading requirements for Lot 23 of Assessor's Block 5203 within the Redevelopment Plan Area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan Amendment is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law.

(Final Negative Declaration issued on October 18, 2000; Redevelopment Agency report dated October 2000 to the Board of Supervisors for the India Basin Industrial Park Redevelopment Plan Amendment.)

Supervisor Maxwell moved to continue consideration to May 14, 2001.

Supervisor Maxwell, seconded by Supervisor Leno, moved that this Ordinance be CONTINUED ON FIRST READING. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

PUBLIC COMMENT

Speaking in support of keeping the current structure regarding San Francisco Housing Authority and Ronnie Davis: Wayne Nichols, Mercy Washington, John Gaul, Ivan Shapiro, female speaker, male speaker, Demetrius Washington, Linda Richardson, Cecelia Shepard, Letica Washington, Nicole, male speaker, Ed Cantrell, Sulei Pelaga, Cedrick Jackson, female speaker, female speaker.

*Rita, Robert, urge continuance of business tax settlement matters;
Amos Brown, apology due to Leroy King, Ronnie Davis;
Vicky Chin, requests assistance to address new development impacts to neighborhood;
Kimberly Washington, Bernal Dwelling crime, security, job opportunity, quality of life programs;
Doug Comstock, supports changing structure regarding San Francisco Housing Authority;
Clemens Okara, urges elected officials follow standards of conduct and engage in civilized debates.*

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

010399 [Final Map for a 16 Unit Live/Work Condominium Project]

Motion approving Final Map of 128 Morris Street, a Live/Work Condominium Project, being a subdivision of Lot 50, Assessor's Block No. 3778, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,849.)

Motion No. M01-40
APPROVED

010486 [Final Map for a 10 Unit Live/Work Condominium Project]

Motion approving Final Map of 699 Pennsylvania Avenue, a Live/Work Condominium Project, being a subdivision of Lot 2, Assessor's Block No. 4104, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,851.)

Motion No. M01-41
APPROVED

010534 [AB 869, Arts and Education, Public Schools]

Supervisors Ammiano, Peskin, Newsom

Resolution supporting Assembly Bill 869 strengthening arts and education in California's Public Schools.

Supervisors Peskin, Newsom requested to be added as co-sponsors.

Resolution No. 269-01
ADOPTED

010535 [Caltrain Bike Station]
Supervisors Hall, Daly, Leno, Maxwell, Peskin, Newsom

Resolution encouraging the Peninsula Corridor Joint Powers Board (Caltrain) to accept and expend funds to construct a bike station at Caltrain's 4th and King Streets station; and urging the San Francisco Department of Parking and Traffic and the San Francisco Department of the Environment to investigate all potential funding sources for operating expenses and to support the successful launch of a bike station operation.

Supervisors Peskin, Newsom requested to be added as co-sponsors.

Resolution No. 270-01

ADOPTED

010537 [Million Mom March]
Supervisors Ammiano, Leno, Newsom

Resolution in support of the Million Mom March working toward sensible gun laws in the United States.

Supervisors Leno, Newsom requested to be added as co-sponsors.

Resolution No. 271-01

ADOPTED

010538 [Commendation]
Supervisors Peskin, Newsom

Resolution commending The Arc San Francisco on its grand opening of its affordable housing and senior services center at 416 Bay Street.

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 272-01

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 2 - Daly, Yee

Severed From For Adoption Without Committee Reference Agenda

010480 [Planning Department Audit]
Supervisors McGoldrick, Sandoval

Motion requesting that a management audit of the Planning Department be added to the audit workplan, be given priority on this workplan, and be conducted at the earliest juncture.

Supervisor McGoldrick requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor McGoldrick moved to continue consideration to April 16, 2001.

Supervisor McGoldrick, seconded by Supervisor Leno, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 2 - Daly, Yee

**010481 [Amending proposed schedule of management audits of City and County Departments]
Supervisor McGoldrick**

Motion amending proposed schedule of management audits to be conducted of programs of City and County Departments by the Budget Analyst.

Supervisor McGoldrick requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor McGoldrick moved to continue consideration to April 16, 2001.

Supervisor McGoldrick, seconded by Supervisor Leno, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 2 - Daly, Yee

**010533 [Live/Work Task Force]
Supervisors Ammiano, Daly, Leno, Maxwell, McGoldrick, Peskin, Sandoval**

Resolution establishing a Live/Work Task Force to develop recommendations for consideration by the Board of Supervisors as to City policy on live/work development and related issues, establishing the membership of the Task Force and method of appointment of its members, directing the Task Force to establish its rules of operation including receiving testimony from the public on issues related to live/work development and proposed recommendations, directing the Clerk of the Board of Supervisors to provide such staff support as may be necessary to comply with the Sunshine Ordinance, urging the Task Force to report back to the Board of Supervisors by May 31, 2001 and providing that the Task Force shall sunset its operations as June 31, 2001.

Supervisor McGoldrick requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Resolution No. 276-01

Supervisor McGoldrick, seconded by Supervisor Leno, moved that this Resolution be ADOPTED. The motion carried by the following vote:

Ayes: 6 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick

Absent: 5 - Daly, Newsom, Peskin, Sandoval, Yee

**010536 [Business tax litigation funds for San Francisco youth]
Supervisor Sandoval**

Resolution requesting that businesses included in the settlement of the "Business Tax Litigation" spend settlement monies, other than those needed to pay for legal fees, on programs for San Francisco youth.

Supervisor McGoldrick, on behalf of Supervisor Sandoval, requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor McGoldrick, on behalf of Supervisor Sandoval, moved to continue consideration to April 9, 2001.

Supervisor McGoldrick, seconded by Supervisor Leno, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin

Absent: 3 - Daly, Sandoval, Yee

**010539 [State Grant]
Mayor, Supervisors Maxwell, Sandoval**

Resolution authorizing the Mayor's Criminal Justice Council (MCJC) to accept and expend funds in the amount of \$2,831,103 from the State Board of Corrections, from funds made available under Assembly Bill 1913 - known as the Schiff-Cardenas Crime Prevention Act of 2000 (CPA 2000), for programs and approaches that have been demonstrated to be effective in reducing delinquency.

Supervisor Gonzalez requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Gonzalez requested this matter be sent to committee.

REFERRED to the Economic Vitality, Small Business and Social Policy Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**010105 [Geographic Information System Data License Fees]
Mayor**

Ordinance amending the San Francisco Administrative Code by adding Section 8.40 to authorize the Department of Public Works, or any other department responsible for administering the City and County of San Francisco's Geographic Data Services Program, to charge license fees for the use of the City's Base Map Geographic Information System ("GIS") data and ratifying prior fees. (Public Works Department)

1/17/01, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

2/1/01, TRANSFERRED to Finance Committee. New committee structure.

4/2/01, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing new title.

4/2/01, ASSIGNED to Finance Committee.

010588 [Appropriation, funding for Geographic Data Services Program]

Ordinance appropriating \$38,676 of Geographic Information System License Fee Revenues for the development and administration of the Geographic Data Services Program for the Department of Public Works for fiscal year 2000-01. (Mayor)

(Companion measure to File 010105.)

4/2/01, RECEIVED AND ASSIGNED to Finance Committee.

**010589 [Prohibit alcohol consumption on park property without a permit]
Supervisor Maxwell**

Draft ordinance amending Article 4 of the San Francisco Parks Code, by amending Section 4.10 to add Alice Chalmers Playground, Bayview Playground, Bernal Playground, Buchanan Street Mall, Cayuga Playground, Franklin Square, Gilman Playground, Holly Park, Juri Commons Mini Park, Lessing Sears Mini Park, McKinley Square, Mission Dolores Park, Silver Terrace Park, Sunnyside Conservatory, Upper Noe Recreation Center, Wawona Clubhouse and Youngblood Coleman Playground to the locations in which alcohol consumption is prohibited without a permit.

4/2/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

**010564 [MOU, Automotive Machinists, Local 1414]
Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between Automotive Machinists, Local 1414 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

4/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**010565 [MOU, Bricklayers, Local 3 and Hod Carriers, Local 36]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the Bricklayers, Stone Masons, Terrazo Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local 3 and Hod Carriers, Local 36 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

4/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**010566 [MOU, Building Inspectors (Classes 6331 and 6333)]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the Building Inspectors' Association and the City and County of San Francisco (for Class 6331, Building Inspector and Class 6333, Senior Building Inspector) to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

4/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

010567 [MOU, Building Inspector (Class 6334)]
Mayor, Supervisor Newsom

Ordinance adopting and implementing the Memorandum of Understanding between the Building Inspectors' Association and the City and County of San Francisco (for Class 6334, Chief Building Inspector) to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

4/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

010568 [MOU, Carpenters, Local 22]
Mayor, Supervisor Newsom

Ordinance adopting and implementing the Memorandum of Understanding between the Carpenters, Local 22 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

4/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

010569 [MOU, Cement Masons, Local 580]
Mayor, Supervisor Newsom

Ordinance adopting and implementing the Memorandum of Understanding between the Cement Masons, Local 580 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

4/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

010570 [MOU, Electrical Workers, Local 6]
Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local 6 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

4/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

010571 [MOU, Glaziers, Local 718]
Mayor, Supervisor Newsom

Ordinance adopting and implementing the Memorandum of Understanding between the Glaziers, Architectural Metal and Glass Workers, Local 718 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

4/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**010572 [MOU, International Alliance of Theatrical Stage Employees, Local 16]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the International Alliance of Theatrical Stage Employees, Local 16 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

4/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**010573 [MOU, Institutional Police Officers Association]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the San Francisco Institutional Police Officers' Association and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

4/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**010574 [MOU, Ironworkers, Local 377]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the International Association of Bridge, Structural Ornamental, Reinforced Iron Workers, Riggers and Machinery Movers, Local 377 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

4/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**010575 [MOU, Laborers, International Union, Local 261]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the Laborers International Union, Local 261 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

4/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**010576 [MOU, Operating Engineers, Local 3]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

4/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**010577 [MOU, Painters, Local 4]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the Painters Union District Council #8 for Local 4 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

4/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**010578 [MOU, Pile Drivers, Local 34]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local 34 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

4/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**010579 [MOU, Plasterers and Shophands, Local 66]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the Plasterers' and Shophands', Local 66 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

4/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**010580 [MOU, Plumbers, Local 38]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local #38 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

4/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**010581 [MOU, Roofers, Local 40]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the United Union of Roofers, Waterproofers and Allied Workers, Local 40 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

4/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**010582 [MOU, Sheet Metal Workers, Local 104]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the Sheet Metal Workers International Union, Local 104 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

4/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**010583 [MOU, Stationary Engineers, Local 39]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the International Union of Operating Engineers, Stationary Engineers, Local 39 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

4/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**010584 [MOU, Supervising Probation Officers, Local 3]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between Operating Engineers, Local 3 Bargaining for Supervising Probation Officers and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

4/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. March 4, 2001: Department of Human Resources submitted a replacement ordinance to correct format errors, at the request of the Clerk's Office.

**010585 [MOU, Teamsters, Local 350]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the Sanitary Truck Drivers and Helpers, Teamsters, Local 350 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

4/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**010586 [MOU, Teamsters, Local 853]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the Teamsters, Local 853 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

4/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**010587 [MOU, Unrepresented Employees]
Mayor, Supervisor Newsom**

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in classes not represented by an employee organization, and establishing Working Schedules and Conditions of Employment and Methods of Payment, effective July 1, 2001.

(Fiscal impact.)

4/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. March 4, 2001: Department of Human Resources submitted a replacement ordinance to correct format errors, at the request of the Clerk's Office.

Resolutions

**010590 [Instant Run Off Voting]
Supervisors Leno, Ammiano**

Resolution urging the Department of Elections and the Budget Analyst to provide pertinent information regarding the cost savings and other logistical specifics of instant run off voting to support the Board of Supervisors consideration of a charter amendment for the November 2001 ballot.

4/2/01, RECEIVED AND ASSIGNED to Finance Committee.

**010591 [Harm Reduction Treatment Options]
Supervisor Leno**

Resolution urging all Department of Public Health providers who deliver Substance Abuse, STD, and HIV treatment and prevention services and/or who serve drug users and abusers in their programs shall (1) address in their program design and objectives how they will provide harm reduction treatment options, and (2) develop harm reduction guidelines.

4/2/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

**010592 [National Budget Surpluses]
Supervisor Sandoval**

Resolution urging our congressional delegates to put kids first as they allocate budget surpluses.

4/2/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010593 [Commendation]
Supervisor Daly**

Resolution commending community activist and organizer, Frederick Hobson.

4/2/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010594 [Commendation]
Supervisors Daly, Peskin, Newsom**

Resolution commending the Coalition on Homelessness for their tireless work on organizing and advocating with the homeless community in San Francisco.

4/2/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010595 [Proclamation]
Supervisors Newsom, Hall**

Resolution ratifying that the Board of Supervisors declares the period between May 12th and June 16th, 2001 as "Elder Abuse Awareness Month" in the City and County of San Francisco.

4/2/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010606 [Brotherhood Way]
Supervisor Hall**

Resolution expressing the desire of the Board of Supervisors to maintain the premises on the south side of Brotherhood Way for continued educational and religious purposes.

4/2/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010603 [Extend time for Planning Commission Action]
Supervisor Leno**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code provisions relating to dwelling units.

4/2/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendments

**010596 [Power Authority]
Supervisors Newsom, Hall**

Draft charter amendment (First Draft) to amend Sections 4.112, 9.107 and 16.103, and to add new Sections 4.134, 4.135, 4.136, and 4.137, to form a newly established Power Authority which shall succeed to all powers and responsibilities of the Public Utilities Commission related to energy operations.

4/2/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/2/2001.

**010597 [Power and Water Authority]
Supervisors Newsom, Hall**

Draft charter amendment (First Draft) to repeal Section 4.112, amend Sections 9.107 and 16.103, and add new Sections 4.134, 4.135, 4.136, and 4.137 to eliminate the Public Utilities Commission, to form a newly established Power and Water Authority.

4/2/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/2/2001.

Requests for Hearing

**010598 [Census 2000]
Supervisor Daly**

Hearing on the causes of the decline of San Francisco's African American population, even as the state's overall figures for this population remains steady.

4/2/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

**010599 [Community-based Planning]
Supervisor McGoldrick**

Hearing on processes which can be used to implement long-range, community-based planning which serves the real needs of the residents of our neighborhoods while also satisfying the city-wide needs of San Francisco.

4/2/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

**010600 [Miguel Covarrubias Mural, Ferry Building]
Supervisor Sandoval**

Hearing on the treatment of the Miguel Covarrubias murals in the World Trade Center portion of the Ferry Building and the status of their removal from the harms of construction that is currently underway at that location.

4/2/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

**010601 [San Francisco Bond Fund Audit Report]
Supervisor Yee**

Hearing to consider the findings of the Arthur Anderson audit report on the handling of the bond fund within the San Francisco Unified School District and to look into the loss of the \$50 million dollar technology federal grant (E-rate) the School District has jeopardized with their lack of financial oversight.

4/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

010605 [Public Hearing]

Hearing to consider the four matters relating to the City's business tax as follows: ordinance authorizing the settlement of lawsuits filed as outlined in File 010437; resolutions providing for the issuance and authorizing and directing the sale of not to exceed \$69,060,000 of City and County Settlement Obligation Bonds, Series 2001; and ordinance amending the Business and Tax Regulations Code to (1) repeal Section 917.1 of Article 12-A and all of Article 12-B to eliminate the gross receipts method of calculating the tax on businesses; (2) enact a new Article 12 to amend business registration requirements consistent with the repeal of Article 12-B; and (3) enact a new Article 12-B to refund gross receipts-based tax payments for the 2000 tax year to the extent that such payments exceeded businesses' tax liability for such year as measured by their payroll expense.

(April 2, 2001, Supervisor Newsom was excused from voting on these matters.)

4/2/01, ASSIGNED to Board of Supervisors. Scheduled for April 9, 2001 at 5:00 p.m.

Motions**010602 [Committee of the Whole]
Supervisors Sandoval, Hall**

Motion scheduling a Committee of the Whole to examine the process of re-drawing the district lines within San Francisco should the Department of Elections find the need to do so, to be held on April 16, 2001 at 3:00 p.m.
4/2/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010604 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
4/2/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments**PROPOSED ORDINANCES****010514 [Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Sarona Collins and James Dannenberg against the City and County of San Francisco for \$125,000; the lawsuit was filed on January 26, 2000 in Superior Court, Case No. 309-463; entitled Sarona Collins and James Dannenberg, et al., v. City and County of San Francisco, et al.; the City agrees that it will attempt to expedite the payment of this settlement. (City Attorney)
3/22/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.
3/23/01, SUBSTITUTED. City Attorney submitted a substitute ordinance to correct title, line 6, the word "Danneberg" to read "Dannenberg".
3/23/01, ASSIGNED to Audit, Labor and Government Efficiency Committee.

010520 [Appropriation, funding the land use and environmental reviews in South of Market and Mission District and neighborhood planning in Balboa Park]

Ordinance appropriating \$1,979,143 from surplus Planning Department fee revenue to fund land use studies and environmental reviews in South of Market (SOMA) and Mission District areas, neighborhood planning measures in Balboa Park, computer aided architectural presentations of large developments, and the creation of four (4) positions at the Planning Commission for fiscal year 2000-01. (Controller)

(Fiscal impact; Companion measure to File 010521.)

3/22/01, RECEIVED AND ASSIGNED to Finance Committee.

010521 [Public Employment]

Ordinance amending Ordinance No. 181-00 (Annual Salary Ordinance, 2000/01) reflecting the creation of four new positions in City Planning. (Human Resources Department)

(Fiscal impact.)

3/22/01, RECEIVED AND ASSIGNED to Finance Committee.

010549 [Appropriation, funding for uniform firefighters and investigators overtime]

Ordinance appropriating \$2,991,267 from the General Fund Reserve and various departmental revenues to fund the cost of uniform firefighters and investigators overtime in the Fire Department for fiscal year 2000-01. (Controller)

(Fiscal impact.)

3/28/01, RECEIVED AND ASSIGNED to Finance Committee.

**010550 [Appropriation, funding for a new facility for Extended Opportunity Program and Services]
Supervisors Gonzalez, Leno, Sandoval, Newsom**

Ordinance appropriating \$700,000 of interest earned from 1997A General Obligation Bond Issue for Education to fund the construction of a new facility for the Extended Opportunity Program and Services (EOPS) for the San Francisco Community College for fiscal year 2000-01. (Controller)

(Fiscal impact.)

3/28/01, RECEIVED AND ASSIGNED to Finance Committee.

010551 [Appropriation, funding for modification, maintenance and repair at the Main Library]

Ordinance appropriating \$1,549,886 for modification, maintenance, and repair of the Main Library as recommended by the January 2000 Post Occupancy Evaluation (POE) Report for the Public Library for fiscal year 2000-01. (Controller)

(Fiscal impact.)

3/28/01, RECEIVED AND ASSIGNED to Finance Committee.

**010556 [MOU Amendment No. 2 - Carpenters, Local 22]
Supervisor Newsom**

Ordinance implementing Amendment No. 2 to the 1997-2001 Memorandum of Understanding between the Carpenters, Local 22 and the City and County of San Francisco by adding a new section to Article III.E. Additional Compensation which provides for the pass-through of State of California funds to certain represented classes working at Skilled Nursing Facilities. (Human Resources Department)
3/28/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. March 4, 2001: Department of Human Resources submitted a replacement ordinance to correct format errors, at the request of the Clerk's Office.

**010557 [MOU Amendment No. 2 - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]
Supervisor Newsom**

Ordinance implementing Amendment No. 2 to the 1997-2001 Memorandum of Understanding between the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local No. 38 and the City and County of San Francisco by adding a new section to Article III.E. Additional Compensation which provides for the pass-through of State of California funds to certain represented classes working at Skilled Nursing Facilities. (Human Resources Department)
3/28/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. March 4, 2001: Department of Human Resources submitted a replacement ordinance to correct format errors, at the request of the Clerk's Office.

**010558 [MOU Amendment No. 5 - Laborers International Union, Local 261]
Supervisor Newsom**

Ordinance implementing Amendment No. 5 to the 1997-2001 Memorandum of Understanding between the Laborers International Union, Local 261 and the City and County of San Francisco by adding a new section to Article III.E. Additional Compensation which provides for the pass-through of State of California funds to certain represented classes working at Skilled Nursing Facilities. (Human Resources Department)
3/28/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. March 4, 2001: Department of Human Resources submitted a replacement ordinance correct format errors, at the request of the Clerk's Office.

**010559 [MOU Amendment No. 2 - International Union of Operating Engineers Stationary Engineers, Local 39]
Supervisor Newsom**

Ordinance implementing Amendment No. 2 to the 1998-2001 Memorandum of Understanding between the International Union of Operating Engineers Stationary Engineers, Local 39 and the City and County of San Francisco by adding a new section to Article III.C. Special Pay Provisions which provides for the pass-through of State of California funds to certain represented classes working at Skilled Nursing Facilities. (Human Resources Department)
3/28/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. March 4, 2001: Department of Human Resources submitted a replacement ordinance to correct format errors, at the request of the Clerk's Office.

**010560 [MOU Amendment No. 1 - Painters Union District Council #8, Local 4]
Supervisor Newsom**

Ordinance implementing Amendment No. 1 to the 1997-2001 Memorandum of Understanding between the Painters Union District Council #8 for Local 4 and the City and County of San Francisco by adding a new section to Article III.E. Additional Compensation which provides for the pass-through of State of California funds to certain represented classes working at Skilled Nursing Facilities. (Human Resources Department) 3/28/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. March 4, 2001: Department of Human Resources submitted a replacement ordinance to correct format errors, at the request of the Clerk's Office.

**010562 [MOU Amendment No. 4 - International Brotherhood of Electrical Workers, Local 6]
Supervisor Newsom**

Ordinance implementing Amendment No. 4 to the 1997-2001 Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local 6 and the City and County of San Francisco by adding a new section to Article III.E. Additional Compensation which provides for the pass-through of State of California funds to certain represented classes working at Skilled Nursing Facilities. (Human Resources Department) 3/28/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. March 4, 2001: Department of Human Resources submitted a replacement ordinance to correct format errors, at the request of the Clerk's Office.

PROPOSED RESOLUTIONS

010546 [Prevailing Wage]

Resolution fixing the highest general prevailing rate of wages, including wages for overtime and holiday work, for various crafts and kinds of labor as paid for similar work in private employment in the City and County of San Francisco at the rates certified to the Board by the Civil Service Commission on December 4, 2000. (City Attorney)
3/27/01, RECEIVED AND ASSIGNED to Finance Committee.

010548 [Gift Acceptance, Public Library]

Resolution authorizing the San Francisco Public Library to accept and expend a gift of \$31,000 from the Friends and Foundation of the San Francisco Public Library to develop specified collections of books, magazines, video/audio resources and DVD's. (Public Library)
3/28/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

Requests Granted

From: Supervisor Daly

To: Chief, Police Department

To: Director, Office of Citizen Complaints

Requesting/Inquiring: That the Chief of Police and the Director of the Office of Citizen Complaints investigate and report on the circumstances around the death of Glenn Fullard who died in the Tenderloin Police Station on March 2, 2001.

From: Supervisor Gonzalez

To: Sheriff

Requesting/Inquiring: To submit a proposal outlining the feasibility of assuming the patrolling responsibilities on Treasure Island.

From: Supervisor Gonzalez

To: Mayor

Requesting/Inquiring: To report if the Sheriff was considered when deciding who would patrol Treasure Island. Also, in light of both the police and sheriff's desire to establish a strong presence on Treasure Island, why the City should not consolidate public safety enforcement by allowing only one of the departments to establish a presence on the island.

From: Supervisor Leno

To: City Attorney

Requesting/Inquiring: To draft legislation to strengthen the law requiring free cool drinking water be provided in large dance clubs by specifying means of distributing water and means of enforcement.

From: Supervisor Newsom

To: Chief, Police Department

Requesting/Inquiring: To investigate and report on the number of non-emergency phone calls they receive and trends that are developing. Also, to report on the feasibility of developing a 1-800-ask SFPD phone line.

From: Supervisor Newsom

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To report on the status of the Bike Lane Study for Polk Street.

From: Supervisor Peskin

To: Director, San Francisco International Airport (SFO)

Requesting/Inquiring: To report on the organizational parameters of SFO Enterprises, Inc. and action taken by the organization since its inception, specifically: (1) Public resources of SFO and the City and County of San Francisco, if any, that have been utilized by SFO Enterprises, Inc. These resources can include office space, permanent or temporary personnel (positions and hours) and any other professional services provided to SFO Enterprises, Inc.; (2) Accounting methods used to track the revenues and expenditures of SFO Enterprises, Inc., including specific billing procedures; (3) Revenues and expenditures that have been recorded since the inception of SFO enterprises, Inc.

From: Supervisor Peskin

To: City Attorney

Requesting/Inquiring: To determine the City and County of San Francisco's legal liability regarding SFO Enterprises, Inc., specifically:

- 1. Whether the City can be held legally accountable for any actions of SFO Enterprises, Inc.*
- 2. If this entity is publicly accountable under the City's Sunshine Ordinance.*

From: Supervisor Sandoval

To: Controller

cc: All Department Heads

Requesting/Inquiring: Requesting the Controller to work with other city departments including, but not limited to, the City Attorney and the Budget Analyst, to provide a list of all city contracts that currently exist with the following companies: Eastman Kodak; Chevron; Costco; Levi Strauss & Co.; The Hearst Corporation; Nieman Marcus; Salomon Smith Barney; Charles Schwab; Walgreen Co.; The San Francisco Giants; Macy's; General Motors; PG&E; Pacific Bell; Safeway; Hewlett-Packard; Nordstrom; Provident Financial; Xerox; The Gap; Shorenstein; Bechtel.

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Thomas P. Grogan (Supervisor Hall)

Stella Nicole Patri (Supervisors Newsom, Peskin)

Bill Kimpton (Supervisor Newsom)

ADJOURNMENT

There being no further business, the Board at the hour of 12:50 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 29, 2001.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Monday, April 9, 2001 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular meeting

TOM AMMIANO, PRESIDENT

**CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE MCGOLDRICK, GAVIN NEWSOM
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE**

Gloria L. Young, Clerk of the Board

DOCUMENTS DEPT

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BOARD COMMITTEES

Committee Membership

Audit, Labor and Government Efficiency Committee

Supervisors Newsom, Daly, McGoldrick

City and School District Committee

Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynns, Commissioner Mar

Economic Vitality, Small Business and Social Policy Committee

Supervisors Sandoval, Newsom, Maxwell

Finance Committee

Supervisors Leno, Peskin, Gonzalez

Housing, Transportation and Land Use Committee

Supervisors McGoldrick, Daly, Peskin

Neighborhood Services and Parks Committee

Supervisors Yee, Hall, Sandoval

Public Health and Environment Committee

Supervisors Maxwell, Yee, Leno

Public Utilities and Deregulation Committee

Supervisors Daly, Gonzalez, Ammiano

Rules Committee

Supervisors Gonzalez, Hall, Ammiano

Meeting Days

2nd & 4th Tuesday
1:00 PM

Call of the Chair

1st & 3rd Tuesday
10:00 AM

Wednesday
10:00 AM

2nd & 4th Thursday
10:00 AM

1st & 3rd Tuesday
1:00 PM

2nd & 4th Tuesday
10:00 AM

Call of the Chair

1st & 3rd Thursday
1:00 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Volume 96 Number 15

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Peskin, Yee - 2.

Quorum present.

Supervisor Peskin was noted present at 2:01 p.m.

Supervisor Yee was noted present at 2:04 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Leno, seconded by Supervisor McGoldrick, moved to APPROVE the March 5, 2001 Meeting Minutes. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Sandoval

Absent: 2 - Peskin, Yee

Privilege of the Floor

President Ammiano, seconded by Supervisor Leno, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Guests

Annemarie Conroy, Director, Treasure Island Development Authority and former Supervisor, and Noah Griffin appeared and gave an eulogy in memory of Bob Mahoney. Mr. Griffin read three verses he had written in his honor.

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled or considered differently.

Supervisor Daly indicated the matter relating to commending Frederick Hobson, File 010593. (See infra.)

Supervisor Ammiano indicated the matter relating to special off-site meetings of the Finance Committee, File 010608. (See infra.)

CONSENT AGENDA

Recommendations of the Finance Committee

002197 [Parking station regulations]

Supervisors Leno, Peskin, Gonzalez, Sandoval, Newsom, Daly

Ordinance adding Article 49 Sections 4901 to 4916 to the San Francisco Police Code to require parking stations to have revenue control equipment and to provide receipts to occupants, to have appropriate signage, to provide that the Department of Consumer Assurance will confirm accuracy of revenue control equipment, and to provide for criminal or civil penalties for violations and amending Section 6.6-1 the San Francisco Business and Tax Regulation Code to allow revocation of a certificate of authority for failure to comply with the provisions of the Police Code.

Supervisor Daly requested to be added as co-sponsor.

Ordinance No. 61-01

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

Severed from Consent Agenda

010483 [State/Airport Maintenance Agreement]

Resolution approving the final Maintenance Cooperative Agreement as it relates to the SFIA Inbound/Outbound Ramps Project which is by and between the City and County of San Francisco, acting through its Airport Commission, and the State of California. (Airport Commission)

Supervisor Sandoval requested this matter be severed so it could be considered separately.

SEVERED FROM CONSENT AGENDA.

Resolution No. 283-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Finance Committee

010145 [Sublease of Treasure Island Brig Facility for Sheriff's Department]

Resolution approving a sublease, retroactive to July 1, 2000, between the City and County of San Francisco (The "City") and the Treasure Island Development Authority (The "Authority") for certain property on Treasure Island commonly known as the Brig (Buildings 670 and 671) located at the corner of 13th and M Streets on Treasure Island, for an annual rent not to exceed \$250,000 per year. (Real Estate Department)

(Fiscal impact.)

(Supervisor Gonzalez dissenting in Committee.)

Resolution No. 280-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Noes: 1 - Gonzalez

Recommendation of the Housing, Transportation and Land Use Committee

010400 [Placement of PVC pipes across Miramar Avenue at 1490 Ocean Avenue]

Resolution granting revocable permission to Tosco to occupy a portion of the street area under Miramar Avenue for the purpose of installing and maintaining four (4) schedule 80 polyvinyl chloride pipe (PVC) as part of a recovery/clean up system. (Public Works Department)

(DPW Order No. 172,740.)

Resolution No. 282-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

NEW BUSINESS

Recommendation of the Finance Committee

010316 [2001 Annual Joint Fundraising Drive]

Resolution designating those agencies qualified to participate in the 2001 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.

Resolution No. 281-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendation of the Neighborhood Services and Parks Committee

010452 [Library Fee Amnesty Program]

Supervisors Yee, Hall, Sandoval, Daly

Ordinance amending the San Francisco Administrative Code by adding Section 8.21-3 to authorize the Library Commission to establish a Library fee amnesty program to take place during a two-week period prior to July 1, 2001, whereby the Library Commission, after notice and public hearing, is authorized to waive all fees charged for overdue San Francisco Public Library materials based on a finding that this amnesty program is likely to promote the return of needed Library materials or promote the increased use of the Library.

Supervisor Daly requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

SPECIAL ORDER 3:00 P.M.

010524 [Department of Public Health]

Supervisor Ammiano

State of the City's Health Report from Director, Department of Public Health.

Dr. Mitch Katz spoke about their involvement with single room occupancy, mental health issues, prevention, strategic planning, universal health care for children and environmental issues. (A copy of his message is on file in the Office of the Clerk of the Board.)

FILED.

Appointment of President Pro Tempore

At the request of the President, Supervisors Peskin, McGoldrick and Yee assumed the Chair briefly, at different times.

The President resumed the Chair.

SPECIAL ORDER 5:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole****010605 [Public Hearing]**

Hearing to consider the four matters relating to the City's business tax as follows: ordinance authorizing the settlement of lawsuits filed as outlined in File 010437; resolutions providing for the issuance and authorizing and directing the sale of not to exceed \$69,060,000 of City and County Settlement Obligation Bonds, Series 2001; and ordinance amending the Business and Tax Regulations Code to (1) repeal Section 917.1 of Article 12-A and all of Article 12-B to eliminate the gross receipts method of calculating the tax on businesses; (2) enact a new Article 12 to amend business registration requirements consistent with the repeal of Article 12-B; and (3) enact a new Article 12-B to refund gross receipts-based tax payments for the 2000 tax year to the extent that such payments exceeded businesses' tax liability for such year as measured by their payroll expense.

(April 2, 2001, Supervisor Newsom was excused from voting on these matters.)

The privilege of the floor was grant to the following persons:

Robert Collins; Joe Ventresca; Calvin Davis; Daren Lewis; Tommy; Richard Ow; Billy; Dave Maguire; female SF State University student; James Tracy; Eileen Hanson; Rita; Abdalla Megahed; Nora; Mark Norton; Walter Johnson; Libby; SF General Motors worker; Josie Mooney; Nathan Lane; Steven Bingham; Virginia; Bob Welso; Sara; John Henney; Michael Casey; Eddie Rosario; Andrew Woods; Denise Deanna; Barry Notherson; Roger Scott; Julia Bershare; Rebecca Commerson; Michael Nulty; Ron Gershon; Doug Comstock; Carl Kramer; Madelyne Soule; Lela Salaza; Mark Solomon; Mary Magee; Alan Buchard; Don Paul; Edmund; Roman.

HEARD AT PUBLIC HEARING.

Committee of the Whole Rise and Report Without Recommendation**Recommendations of the Finance Committee**

010437 [Settlement of business tax lawsuits; authorization to make binding settlement offers; authorization to settle unlitigated claims]

Supervisors Peskin, Leno, Hall, Maxwell, Yee

Ordinance authorizing settlement of the lawsuits filed by Eastman Kodak Company and General Motors Corporation versus the City and County of San Francisco by payment of a total amount not to exceed \$112,889.78 plus interest; the Eastman Kodak lawsuit was filed on April 22, 1999 in San Francisco Superior Court, Case No. 302983 (Court of Appeal No. A091910), entitled Eastman Kodak Company v. City and County of San Francisco; the General Motors lawsuit was filed on February 24, 1999 in San Francisco Superior Court, Case No. 301510 (Court of Appeal A091914), entitled General Motors Corporation v. City and County of San Francisco; the other material terms of the settlements are that the settlements shall include any claims for the 2000 tax year, plaintiffs shall not file any claims for refunds otherwise due pursuant to any repeal of the gross receipts tax ordinance for the 2000 tax year, the plaintiffs shall agree to join in an application for a stipulated reversal of the trial court decisions pursuant to California Code of Civil Procedure Section 128; authorizing the City Attorney to make offers to allow judgment pursuant to California Code of Civil Procedure Section 998 in various business tax cases, for a total amount not to exceed \$63,980,109.06; and further authorizing settlement of unlitigated claims, for a total amount not to exceed \$380,576.16.

(Supervisor Gonzalez dissenting in Committee.)

Supervisor Ammiano moved to continue consideration to April 16, 2001.

President Ammiano, seconded by Supervisor Sandoval, moved that this Ordinance be CONTINUED ON FIRST READING. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Excused: 1 - Newsom

010512 [Settlement of Obligation Bond Issuance]

Supervisor Peskin

Resolution providing for the issuance of not to exceed \$69,060,000 aggregate principal amount of City and County of San Francisco Settlement Obligation Bonds, Series 2001 (Business Tax Judgment); authorizing the execution, authentication and registration of said bonds; providing for an annual appropriation to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts relating thereto; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact; companion measure to File 010513.)

(Supervisor Gonzalez dissenting in Committee.)

Supervisor Ammiano moved to continue consideration to April 16, 2001.

President Ammiano, seconded by Supervisor Sandoval, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Excused: 1 - Newsom

**010513 [Settlement of Obligation Bond Sale]
Supervisor Peskin**

Resolution authorizing and directing the sale of not to exceed \$69,060,000 City and County of San Francisco Settlement Obligation Bonds, Series 2001 (Business Tax Judgment); prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts relating thereto; approving the forms of the Official Notice of Sale and the Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form and execution of the Official Statement relating thereto; approving the form of the Continuing Disclosure Certificate; approving modifications to the documents approved herein; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact.)

(Supervisor Gonzalez dissenting in Committee.)

Supervisor Ammiano moved to continue consideration to April 16, 2001.

President Ammiano, seconded by Supervisor Sandoval, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee

Excused: 1 - Newsom

From Finance Committee Without Recommendation

**010274 [Business Tax Gross Receipts]
Supervisors Gonzalez, Peskin, Maxwell, Hall, Sandoval, Daly, McGoldrick**

Ordinance amending the Business and Tax Regulations Code to (1) repeal Section 917.1 of Article 12-A and all of Article 12-B to eliminate the gross receipts method of calculating the tax on businesses; (2) enact a new Article 12 to amend business registration requirements consistent with the repeal of Article 12-B; and (3) enact a new Article 12-B to refund gross receipts-based tax payments for the 2000 tax year to the extent that such payments exceeded businesses' tax liability for such year as measured by their payroll expense.

(Fiscal impact.)

Supervisor Ammiano moved to continue consideration to April 16, 2001.

President Ammiano, seconded by Supervisor Sandoval, moved that this Ordinance be CONTINUED ON FIRST READING. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee

Excused: 1 - Newsom

Appointment of President Pro Tempore

At the request of the President, Supervisor Daly assumed the Chair for a brief period.

The President resumed the Chair shortly thereafter.

PUBLIC COMMENT

Abdalla Megahed, homeless deaths, volunteers needed to serve food;
Ernestine Weiss, urged transfer of Lot 202 and 203 to make it a permanent park, blackout procedures;
James Pye, wants son returned to the home;
Theresa Coleman, public housing management;
James Chaffee, public library and soft money, questions providing public funding to private organization;
Lloyd Schloegel, Third Street light rail;
Sarah Bowers, spending funds for City Hall renovation vs rehabilitation programs, youth programs, affordable housing;
Male speaker, need more public toilets;
Graham Demson, female speaker, supports child care subsidized program;
Andre Mansrian, supports Armenian Genocide Commemoration Day;
Worldwind Dreamer, commenting on democratic party, PG&E corporation, politicians.

Recess

The Board, at the hour of 4:27 p.m. , took a brief recess.

Reconvening of the Board

The Board, at the hour of 4:28 p.m., reconvened.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 15 through 30

010553 [California Assembly Bill 934]

Resolution opposing California Assembly Bill 934 (AB 934), which would fundamentally change existing appeal procedures by, in effect, vacating assessment appeals board valuation decisions regarding local property tax assessments that are appealed by a taxpayer and providing for a trial de novo (a new trial) in Superior Court, instead of continuing with the current procedure which provides for Superior Court review of the administrative record of the quasi-judicial assessment appeals board valuation hearing and decision where the court reviews the administrative record only for arbitrariness, abuse of discretion, or failure to follow standards prescribed by the legislature, including review of whether the assessment appeals board's findings are supported by substantial credible evidence in the administrative record; Joining in the California State Association of Counties (CSAC) opposition to AB 934; Instructing the City's lobbyists in Sacramento to oppose AB 934; And urging the City's state legislative delegation to oppose AB 934. (Clerk of the Board)

Resolution No. 274-01

ADOPTED

**010592 [National Budget Surpluses]
Supervisor Sandoval**

Resolution urging our congressional delegates to put kids first as they allocate budget surpluses.

**Resolution No. 284-01
ADOPTED**

**010594 [Commendation]
Supervisors Daly, Peskin, Newsom**

Resolution commending the Coalition on Homelessness for their tireless work on organizing and advocating with the homeless community in San Francisco.

Supervisors Peskin, Newsom requested to be added as co-sponsors.

**Resolution No. 289-01
ADOPTED**

**010595 [Proclamation]
Supervisors Newsom, Hall**

Resolution ratifying that the Board of Supervisors declares the period between May 12th and June 16th, 2001 as "Elder Abuse Awareness Month" in the City and County of San Francisco.

Supervisor Hall requested to be added as co-sponsor.

**Resolution No. 285-01
ADOPTED**

**010603 [Extend time for Planning Commission Action]
Supervisor Leno**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code provisions relating to dwelling units.

**Resolution No. 286-01
ADOPTED**

**010606 [Brotherhood Way]
Supervisor Hall**

Resolution expressing the desire of the Board of Supervisors to maintain the premises on the south side of Brotherhood Way for continued educational and religious purposes.

**Resolution No. 287-01
ADOPTED**

**010610 [SB 993, The Early Education and Wage Equity Act]
Supervisors Peskin, Sandoval, Leno, Daly**

Resolution supporting the Early Education and Wage Equity Act.

Supervisors Sandoval, Leno, Daly requested to be added as co-sponsors.

**Resolution No. 288-01
ADOPTED**

**010602 [Committee of the Whole]
Supervisors Sandoval, Hall**

Motion scheduling a Committee of the Whole to examine the process of re-drawing the district lines within San Francisco should the Department of Elections find the need to do so, to be held on April 16, 2001 at 3:00 p.m.

Supervisor Hall requested to be added as co-sponsor.

Motion No. M01-42

APPROVED

**010604 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Supervisor Maxwell requested to be added as co-sponsor.

Motion No. M01-43

APPROVED

010609 [Final Map for a 24 Unit Live/Work Condominium Project]

Motion approving final map of 317 Harriet Street, a Live/Work Condominium Project, being a subdivision of Lots 3 and 125, Assessor's Block No. 3779, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,876.)

Motion No. M01-45

APPROVED

010613 [Final Map for a 14 Unit Live/Work Condominium Project]

Motion approving final map of 761 Tehama Street, a Live/Work Condominium Project, being a subdivision of Lot 90, Assessor's Block No. 3729, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,887.)

Motion No. M01-46

APPROVED

010614 [Final Map for a 6 Unit Live/Work Condominium Project]

Motion approving final map of 374 11th Street, a Live/Work Condominium Project, being a subdivision of Lot 12, Assessor's Block No. 3521, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,888.)

Motion No. M01-47

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

Severed From For Adoption Without Committee Reference Agenda

010536 [Business tax litigation funds for San Francisco youth]
Supervisor Sandoval

Resolution requesting that businesses included in the settlement of the "Business Tax Litigation" spend settlement monies, other than those needed to pay for legal fees, on programs for San Francisco youth.

Supervisor Sandoval requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisors Leno and Newsom were removed as co-sponsors.

Supervisor Sandoval moved that this matter be continued to April 16, 2001.

Supervisor Sandoval, seconded by Supervisor Leno, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

010593 [Commendation]
Supervisor Daly

Resolution commending community activist and organizer, Frederick Hobson.

Supervisor Daly requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Daly requested this matter be sent to committee.

REFERRED to the Economic Vitality, Small Business and Social Policy Committee.

010607 [Armenian Genocide Commemoration Day]
Supervisors Peskin, Hall, Sandoval, Newsom, Daly, Ammiano, Maxwell, McGoldrick, Gonzalez

Resolution declaring April 24th, 2001 Armenian Genocide Commemoration Day in San Francisco.

Supervisor Peskin requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisors Sandoval, Newsom, Daly, Ammiano, Maxwell, McGoldrick, Gonzalez requested to be added as co-sponsors.

Resolution No. 279-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

010608 [Special off site meetings of the Finance Committee]

Motion setting special off site meetings of the Finance Committee for the purpose of receiving community input on the City and County of San Francisco's 2001-2002 budget. (Clerk of the Board)

Supervisor Peskin requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Peskin moved to amend line 12, by changing "12:00" to "1:00" p.m.

Supervisor Peskin, seconded by Supervisor Leno, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

Motion No. M01-44

APPROVED AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

010618 [Appropriation, funding for Homeless Prenatal Program for Fiscal Year 2000-01.]

Supervisors Gonzalez, Sandoval, Newsom, Daly

Ordinance appropriating \$60,000 from the General Fund Reserve to support the Homeless Prenatal Program in order to provide housing placement services for the homeless, through the Department of Human Services for fiscal year 2000-2001.

4/9/01, RECEIVED AND ASSIGNED to Finance Committee.

010619 [Health Service System]

Supervisor Leno

Ordinance amending Chapter 16, Article XV, of Part I of the San Francisco Administrative Code by amending Sections 16.700 and 16.701, regarding commissioners and board members of the City and County of San Francisco.

4/9/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/9/2001.

**010620 [Interdepartmental Jurisdictional Transfer]
Supervisor Peskin**

Ordinance transferring jurisdiction over certain real property located at Drumm Street, between Clay and Washington Streets, described generally as Assessor's Block 202, Lots 6, 14 and a portion of 15, excluding the subsurface thereof, and Block 203, Lot 14, from the Department of Public Works to the Recreation and Park Commission; and providing that no building, improvement or structure may be constructed on the surfaces of such parcels and adjoining Assessor's Block 202, Lot 18.

4/9/01, RECEIVED AND ASSIGNED to Finance Committee. April 11, 2001: City Attorney submitted a replacement ordinance to correct format errors, at the request of the Clerk's Office.

Resolutions

**010456 [Interim Controls, Internet Services Exchanges]
Supervisor Maxwell**

Resolution imposing interim zoning controls defining internet services exchanges, including internet services exchanges within the utility installation use category, establishing a requirement for a conditional use authorization for internet services exchanges in commercial and industrial zones, including without limitation, the C-1, C-2, C-3-G, C-3-S, C-M, M-1, M-2, SLI and SSO zones exclusive of lots under the jurisdiction of the San Francisco Port Commission or in a redevelopment project area with an adopted redevelopment plan under the jurisdiction of the San Francisco Redevelopment Agency Commission up to a six month period and making a determination of consistency with the priority policies of Planning Code Section 101.1.

Received Certification of Determination of Exemption/Exclusion from environmental review dated May 2, 2001.

3/12/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee. 03/16/01 - Transmitted to Planning Department for environmental review.

3/20/01, TRANSFERRED to Public Health and Environment Committee.

4/9/01, SUBSTITUTED. Supervisor Maxwell submitted a substitute resolution bearing new title.

4/9/01, ASSIGNED to Public Health and Environment Committee. Sponsor requests this item be scheduled for consideration at the May 8, 2001 meeting.

**010621 [2001 Community Development Block Grant]
Mayor**

Resolution approving the 2001 Community Development Program. Authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend the City's 2001 Community Development Block Grant (CDBG) entitlement from the U.S. Department of Housing and Urban Development, and program income up to \$38,663,433 which include indirect costs of \$160,000; and approving expenditure schedules for recipient departments and agencies and for indirect costs; and reserving \$641,570 for future Board action.

4/9/01, RECEIVED AND ASSIGNED to Finance Committee.

**010622 [HOME Program]
Mayor**

Resolution authorizing the Mayor of the City and County of San Francisco to accept and expend a grant from the U.S. Department of Housing and Urban Development for a total amount not to exceed \$7,896,000 for the HOME Program authorized under Title II of the National Affordable Housing Act of 1990, Public Law Number 101-625, and approving the HOME Program description as described in the 2001 Action Plan for San Francisco's Consolidated Plan. Indirect costs associated with the acceptance of these grant funds will be paid by Community Development Block Grant funds.

4/9/01, RECEIVED AND ASSIGNED to Finance Committee.

**010623 [2001 Emergency Shelter Grants Program]
Mayor**

Resolution approving the 2001 Emergency Shelter Grants Program and expenditure schedule; and authorizing the Mayor on behalf of the City and County of San Francisco to accept and expend a \$879,000 entitlement under the Emergency Shelter Grants Program from the U. S. Department of Housing and Urban Development.

4/9/01, RECEIVED AND ASSIGNED to Finance Committee.

**010624 [Southern Crossing]
Supervisors Leno, Daly, Gonzalez, Peskin**

Resolution urging the Metropolitan Transportation Commission to oppose plans for a Southern Crossing for automobile transit and to consider other transit alternatives for crossing the Bay.

4/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010625 [Cell Phone Use]
Supervisors McGoldrick, Daly, Gonzalez**

Resolution requesting San Francisco's representatives in the State Legislature to support amendments to the Vehicle Code to prohibit the use of hand-held cell-phones while driving a motor vehicle.

4/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010626 [St. Luke's Hospital Proposed Affiliation]
Supervisor Ammiano**

Resolution urging the California Attorney General to exercise his full powers under AB 254 to conduct a health impact study of any proposed affiliation involving St. Luke's Hospital, supporting the establishment of conditions for any potential affiliation agreement between St. Luke's Hospital and another hospital or health system, enumerating several such conditions, and urging the establishment of a committee to assist in monitoring the implementation of conditions.

4/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010627 [Doggie Diner Head]
Supervisor Newsom**

Resolution urging the Department of Public Works to immediately follow through with its commitments to the maintenance and costs for the relocation and restoration of the Doggie Diner Head, including the immediate establishment of a fund for donations to be made toward the cost of restoring the Doggie Diner Head.

4/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010628 [Proclamation]
Supervisors Daly, Leno, Gonzalez, Peskin**

Resolution commending Bertrand Delanoe on his election as Mayor of Paris, France, and proclaiming May 1st - International Workers Day, as "Mayor Bertrand Delanoe Day" in San Francisco.

4/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010629 [Proclamation]
Supervisors Daly, Leno**

Resolution declaring May 16, 2001 as Unity Jam Day in San Francisco.

4/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010630 [Commendation]
Supervisors Daly, Newsom**

Resolution commending John P. Mullane, Jr. for his decades of work on behalf of the City and County of San Francisco.

4/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010631 [Commendation]
Supervisors Hall, Newsom**

Resolution honoring Harry J. Quinn for his dedication in serving the City and County of San Francisco Real Estate Department.

4/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010632 [Commendation]
Supervisors Hall, Newsom, Gonzalez, Peskin**

Resolution honoring Anthony J. DeLucchi for his dedication in serving the City and County of San Francisco Real Estate Department.

4/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010633 [Commendation]
Supervisors Leno, Newsom, Daly, Gonzalez, Peskin

Resolution commending Francesca Vietor for her leadership as the Director of the Department of the Environment.

4/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010634 [Commendation]
Supervisors Leno, Newsom, Daly, Gonzalez

Resolution commending Delancey Street on its thirty years of community leadership.

4/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010635 [Proclamation]
Supervisors Maxwell, Newsom, Daly, Peskin

Resolution declaring May 3rd, 2001 as World Asthma Day in San Francisco.

4/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010636 [Commendation]
Supervisor Yee

Resolution commending President Xu Zhihong for his leadership of the Peking University and celebrating the occasion of the 6th anniversary of the founding of the Peking University Education Foundation.

4/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010637 [Commendation]
Supervisor Newsom

Resolution commending Standing Against Global Exploitation (SAGE) for receiving the Oprah's Angel Network "Use Your Life" Award and a gift donation of \$100,000.

4/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendments

**010596 [Power Authority]
Supervisors Newsom, Hall**

Draft charter amendment (Second Draft) to repeal Section 16.103, amend Sections 4.112, 9.107 and 13.101 and to add new Sections 4.134, 4.135, 4.136, 4.137 and 4.138, to establish a Power Authority which shall succeed to all powers and responsibilities of the Public Utilities Commission related to energy operations.

(Fiscal impact.)

4/2/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/2/2001.

4/9/01, SUBSTITUTED. Supervisor Newsom submitted a substitute charter amendment (Second Draft) bearing new title.

4/9/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/9/2001.

**010597 [Power and Water Authority]
Supervisors Newsom, Hall**

Draft charter amendment (Second Draft) to repeal Section 4.112 and 16.103, amend Sections 9.107 and 13.101, and add new Sections 4.134, 4.135, 4.136, 4.137, and 4.138 to eliminate the Public Utilities Commission, to form a newly established Power and Water Authority.

(Fiscal impact.)

4/2/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/2/2001.

4/9/01, SUBSTITUTED. Supervisor Newsom submitted a substitute charter amendment (Second Draft) bearing new title.

4/9/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/9/2001.

Requests for Hearing

**010598 [Census 2000]
Supervisor Daly**

Hearing to study trends revealed by Census 2000 on the following: (1) the decline in African-American population; (2) the overall demographic composition of San Francisco and the Bay Area; and (3) undercounting in the Census.

4/2/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

4/9/01, SUBSTITUTED. Supervisor Daly submitted a hearing request with a new text.

4/9/01, ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

**010638 [Rolling Blackouts]
Supervisor Daly**

Hearing to study ways to use the Office of Emergency Services to inform communities about rolling blackouts. Specifically, to address concerns of small businesses and vulnerable residents.

4/9/01, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

**010639 [Summer Energy Conservation Plans]
Supervisor Sandoval**

Hearing with the Mayor, Chief Administrator, and departments heads regarding plans to conserve energy this summer.

4/9/01, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

**010640 [Children, Youth and Families]
Supervisors Daly, Sandoval**

Hearing to study the service coordination between various commissions and agencies serving children, youth and families, including the Delinquency Prevention Commission, Youth Commission, Children and Families Commission, Juvenile Probation Commission, and Department of Children, Youth and their Families.

4/9/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**010641 [School District Capital Improvements]
Supervisors Daly, Hall**

Hearing to examine the public process for informing neighbors and gathering input about proposed capital improvements, specifically to study the processes used in conjunction with Lowell High School and Bessie Carmichael Elementary School projects.

4/9/01, RECEIVED AND ASSIGNED to City and School District Committee.

**010642 [Bond Funds]
Supervisor Leno**

Hearing to review the allocation of funds raised from recent Bond measures to libraries and Recreation and Park facilities.

4/9/01, RECEIVED AND ASSIGNED to Finance Committee.

**010643 [2000 Census]
Supervisor Yee**

Hearing to discuss the results of the 2000 Census, specifically: the change in the age, ethnicity and gender demographics in San Francisco; the policy implications of these changes; and the City's response, in terms of service delivery, to these changes.

4/9/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

**010644 [Ramped Taxi Permit]
Supervisor Ammiano**

Hearing on reducing the time commitment to operate a ramped taxi permit from five years to a thirty month period, as established in San Francisco Municipal Code, Part II, Chapter VIII, Article 16, Section 1148.1.

Topics including but not limited to: (1) the level of wheelchair accessible service and how it may be affected by such a change; (2) the initial investment and financial demands upon a ramped taxi permit holder; 3) the legal feasibility of legislating such a change.

4/9/01, RECEIVED AND ASSIGNED to Rules Committee.

**010645 [Campaign Finance Ordinance]
Supervisor Ammiano**

Hearing to consider the most effective ways to implement Proposition O, the Campaign Finance Ordinance, which was passed by the voters in November 2000 and limits the amount a person or group may contribute to all City candidates and political committees.

4/9/01, RECEIVED AND ASSIGNED to Rules Committee.

**010646 [District Assemblies/Neighborhood Councils]
Supervisor Ammiano**

Hearing to consider how the creation of District Assemblies/Neighborhood Councils could help to promote community input into the City's decision-making process. Topics including but not limited to: (1) Goals and objectives of the District Assembly/Neighborhood Council System; (2) Responsibilities and tasks that would be appropriate for District Assembly/Neighborhood Council consideration; (3) Desired characteristics of District Assemblies/Neighborhood Councils; (4) Creation, certification, and proposed governance of District Assemblies/Neighborhood Councils.

4/9/01, RECEIVED AND ASSIGNED to Rules Committee.

**010647 [Appropriation, HIV Prevention]
Supervisor Ammiano**

Hearing to request a supplemental appropriation in the amount of \$265,000, to fund a "Back to Basics" HIV Prevention Program through the Stop AIDS Project to reverse the increase of new HIV infections in San Francisco.

4/9/01, RECEIVED AND ASSIGNED to Finance Committee.

010651 [Public Hearing]

Hearing to examine the process of re-drawing the district lines within San Francisco.

(April 9, 2001: Pursuant to motion adopted by the Board of Supervisors.)

4/9/01, ASSIGNED to Board of Supervisors. Board to sit as Committee of the Whole on April 16, 2001 at 3:00 p.m.

Motions

**010648 [Legislative Analyst Request]
Supervisors McGoldrick, Hall**

Motion asking the Legislative Analyst to prepare a report outlining the effects of making pedestrian safety the highest priority in the decision making processes of DPT (and the Municipal Transportation Agency when it takes over the functions of DPT), as well as the effects of making the benchmark for effective pedestrian safety whether the most vulnerable sections of our population have been adequately protected. This report also should study whether other jurisdictions have implemented such policy measures and whether they have been successful in lowering pedestrian injuries and deaths.

4/9/01, ASSIGNED to Board of Supervisors. Scheduled for Board Consideration April 16, 2001.

**010649 [Legislative Analyst Request]
Supervisors Peskin, Hall**

Motion asking the Legislative Analyst to review and report on best practices in U.S. cities to combat the proliferation of graffiti. This report should include an identification of enforcement strategies, preventive programs and direct legislative actions that have proved successful in combating graffiti, as well as a specific assessment of cities' reactions to the use of hydrochloric acid in graffiti vandalism.

4/9/01, ASSIGNED to Board of Supervisors. Scheduled for Board Consideration April 16, 2001.

**010650 [Offsite Neighborhood Services and Park Committee Meetings]
Supervisor Yee**

Motion directing the Clerk of the Board of Supervisors to coordinate with members of the Board of Supervisors, the Mayor's Office, appropriate City Departments, and the Chair of the Neighborhood Services and Parks Committee to create District Neighborhood Services and Parks Committee meetings.

4/9/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

010552 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Yvette Augmon, et al. against the City and County of San Francisco for \$103,000.00; the lawsuit was filed on October 29, 1999 in United States District Court, Case No. C99-4779 MMC; entitled Yvette Augmon et al. v. City and County of San Francisco. (City Attorney)

3/9/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

010611 [Settlement of Lawsuit]

Ordinance authorizing settlement of all claims against the City and County of San Francisco in a lawsuit filed by Lupe Cortez for \$30,000. The lawsuit was filed on November 19, 1999, in Superior Court, Case No. 308-016, entitled Lupe Cortez, et al., v. City and County of San Francisco, et al.; other material terms of said settlement are that defendants Hawk Ling Lou and the Ketty F. Lou Revocable Trust will settle plaintiff's claims against them in this matter also for \$30,000. (City Attorney)

4/4/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

010612 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Carolyn L. Stowers against the City and County of San Francisco for \$77,000; the lawsuit was filed on April 14, 1999 in the United States District Court, Northern District of California; Case No. C99-1857-VRW; entitled Carolyn L. Stowers, et al.; v. City and County of San Francisco, et al. (City Attorney)

4/4/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

PROPOSED MOTIONS

010554 [Fiscal Year 2001-2002 Budget for the Board of Supervisors.]

Motion submitting for approval the Fiscal Year 2001-2002 Budget by the Board of Supervisors. (Clerk of the Board)

(Fiscal impact.)

4/4/01, RECEIVED AND ASSIGNED to Finance Committee.

Requests Granted

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft legislation that uses adjusted Census counts utilizing samplings as the basis for redistricting.

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft legislation that requires the Department of Parking and Traffic to post on all parking meters the telephone number and additional information for the Department of Consumer Assurance, which investigates parking meter malfunction.

From: Supervisor Gonzalez

To: Director, Housing Authority

Requesting/Inquiring: To explain why they have not been able to account for funds which are outlined in the March 30, 2001 Office of Inspector General of the Department of Housing and Urban Development audit report.

From: Supervisors Hall, Gonzalez

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To investigate and report on the status of the "No Parking" regulations along the corners of Seventh Avenue and Kirkham and Judah Streets? And when will these new regulations be put into place?

From: Supervisors Hall, Newsom

To: Director, Cal/OSHA

Requesting/Inquiring: To investigate and report if Cal/OSHA has ever done a health and safety report on the building located at 1235 Mission Street? If so, please send a copy to the Clerk of the Board of Supervisors.

From: Supervisor Maxwell

To: Director, Airport Commission

Requesting/Inquiring: To report on available land at San Francisco international Airport (SFO) for potential power plant construction by the City and County of San Francisco. In, addition, please provide a complete update on any current plans for power plant construction at SFO.

Due date: April 23, 2001.

From: Supervisor Maxwell

To: General Manager, Public Utilities Commission

Requesting/Inquiring: To provide an estimated capital and yearly operating costs for the City and County of San Francisco (CCSF) to construct and operate its own power plant. Please provide a variety of estimates based on:

- 1. A power plant with a generating capacity of 300 MW, 400 MW, 500 MW*
- 2. A power plant that operates on natural gas, natural gas in combination with renewable energy sources*
- 3. A power plant that utilizes the best available technology for pollution control*
- 4. Any other variables the Board of Supervisors should consider.*

In addition, please provide financing options that the City could utilize for a such a project.

Due date: May 7, 2001

From: Supervisor Maxwell

To: General Manager, Public Utilities Commission

Requesting/Inquiring: To provide a feasibility analysis for the City and County of San Francisco to construct and maintain energy transmission lines across the San Francisco Bay.

Please include in this analysis project benefits: particularly in terms of energy reliability for residents of the City, and project costs, both capital and operating.

Due date: May 7, 2001

From: Supervisor Peskin

To: General Manager, Public Utilities Commission

Requesting/Inquiring: Inquires about the foul stench that have been reported along The Embarcadero by area residents. Specifically, an explanation on the origin and duration of odors, and what measures are being taken to mitigate these odors.

From: Supervisor Peskin

To: Director, Administrative Services

To: Director, Department on Aging and Adult Services

To: Director, Airport Commission

To: Clerk, Board of Supervisors

To: Director, Building Inspection

To: Director, Business and Economic Development

To: Director, Children, Youth and their Family

To: Controller

To: Director, Department of Elections

To: Director, Emergency Communications Department

To: Chief, Fire Department

To: Director, Department of Human Services

To: Mayor

To: General Manager, Municipal Transportation Agency

To: Director, Port

To: Director, Public Health

To: Director, Public Works

To: Treasurer/Tax Collector

To: Director, Department of the Environment

To: Director, Department of Parking and Traffic

To: General Manager, Recreation and Parks

Requesting/Inquiring: To report on the uses of the Special Assistant classification in each Department of the City and County that currently utilizes the classification. Specifically:

location of each Special Assistant's position in the Department's organizational hierarchy, job description on file for each Special Assistant position, list of personnel who fill those positions, resume of each employee who fulfills a Special Assistant position.

From: Supervisor Peskin

To: Director, Department of Human Resources

Requesting/Inquiring: To report on data that is available on the Special Assistants classification. Specifically, in electronic form, a listing of all current Special Assistant positions in City government (including Special Assistant class (I-XXII), exempt category, job title, and department). I would request this file in an Excel format, or a program that can be exported to Excel. Any document related to the 15 rejections of Special Assistant positions in the past year, as referenced by Ms. Modena at the hearing. A short explanation of the new software that your department is utilizing, in order to better understand Department of Human Resource's reporting capacity regarding the City's employment positions.

Due date: April 23, 2001

From: Supervisor Sandoval

To: Director, Department of Elections

To: City Attorney

Requesting/Inquiring: To investigate and report what steps are currently being taken to comply with Section 203 of the Voting Rights Act which requires that language assistance be provided for non-English speaking voters that number more than 10,000. Services include translation of printed materials and oral assistance; also inquiring about publicity regarding the availability of these services.

Due date: April 16, 2001

From: Supervisor Yee

To: Director, Department of Public Health

To: Director, Department of Human Services

To: Director, Department of Children, Youth and Their Families

To: Director, Mayor's Office of Community Development

To: Director, Adult and Aging Services

To: Director, Planning Department

To: Director, Department of Elections

To: Director, Housing Authority

To: Chief, Police Department

To: Chief, Fire Department

To: Superintendent, Unified School District

Requesting/Inquiring: To notify the Directors of the following departments: Department of Public Health, Department of Human Services, Department of Children, Youth and Their Families, Mayor's Office of Community Development, Adult and Aging Services, Planning Department, Department of Elections, Housing Authority, Chief of Police Department, Chief of Fire Department, Superintendent, Unified School District that a committee hearing has been called to discuss the results of the 2000 Census, specifically: the change in the age, ethnicity and gender demographics in San Francisco; the policy implications of these changes; and the City's response, in terms of service delivery, to these changes, hearing to be scheduled in the near future.

From: Supervisor Ammiano

To: Controller

Requesting/Inquiring: To draft legislation establishing a Business Tax Settlement Repayment Fund, into which settlement monies, if approved by the Board of Supervisors, can be repaid to the City by litigants.

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Glenn Fullard (Supervisor Daly)

Bob Mahoney (The entire Board)

Phillip Turner (The entire Board)

Bob Basker (The entire Board)

Bob Miller (Supervisor Leno)

Bob Heifetz (Supervisor Peskin)

Mrs. Man Yet Leung (Supervisor Yee)

ADJOURNMENT

There being no further business, the Board at the hour of 8:17 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 29, 2001.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689*

MEETING MINUTES

DOCUMENTS DEPT.

Monday, April 16, 2001 2:00 PM

OCT - 1 2001

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

SAN FRANCISCO
PUBLIC LIBRARY

Regular meeting

TOM AMMIANO, PRESIDENT

*CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE MCGOLDRICK, GAVIN NEWSOM
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE*

Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Audit, Labor and Government Efficiency Committee

Supervisors Newsom, Daly, McGoldrick

City and School District Committee

Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynns, Commissioner Mar

Economic Vitality, Small Business and Social Policy Committee

Supervisors Sandoval, Newsom, Maxwell

Finance Committee

Supervisors Leno, Peskin, Gonzalez

Housing, Transportation and Land Use Committee

Supervisors McGoldrick, Daly, Peskin

Neighborhood Services and Parks Committee

Supervisors Yee, Hall, Sandoval

Public Health and Environment Committee

Supervisors Maxwell, Yee, Leno

Public Utilities and Deregulation Committee

Supervisors Daly, Gonzalez, Ammiano

Rules Committee

Supervisors Gonzalez, Hall, Ammiano

Meeting Days

2nd & 4th Tuesday
1:00 PM

Call of the Chair

1st & 3rd Tuesday
10:00 AM

Wednesday
10:00 AM

2nd & 4th Thursday
10:00 AM

1st & 3rd Tuesday
1:00 PM

2nd & 4th Tuesday
10:00 AM

Call of the Chair

1st & 3rd Thursday
1:00 PM

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:00 p.m. On call of the roll, all Supervisors were noted present.

Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Sandoval, seconded by Supervisor Maxwell, moved to approve the March 12, 2001 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Introduction of Guest

Supervisor Newsom introduced, welcomed and presented a commendation to Francesca Vietor for her leadership as the Director of the Department of the Environment.

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled or considered differently.

*Supervisor Sandoval indicated the matter relating to business tax litigation funds for San Francisco youth, File 010536. (See *infra*.)*

CONSENT AGENDA

Recommendations of the Audit, Labor and Government Efficiency Committee

010514 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Sarona Collins and James Dannenberg against the City and County of San Francisco for \$125,000; the lawsuit was filed on January 26, 2000 in Superior Court, Case No. 309-463; entitled Sarona Collins and James Dannenberg, et al., v. City and County of San Francisco, et al.; the City agrees that it will attempt to expedite the payment of this settlement. (City Attorney)

PASSED, ON FIRST READING

010474 [Settlement of Claim]

Resolution approving the settlement of the unlitigated claim filed by Kathleen Kuda against San Francisco for \$87,500; claim was filed on November 3, 2000; additional material term of said settlement is the signing of a release of CF liability against the City and County of San Francisco. (City Attorney)

(Claim Number 01-01214.)

Resolution No. 299-01

ADOPTED

Recommendations of the Finance Committee

010472 [Extension of real property lease at 575 Polk Street]

Resolution authorizing exercise of option regarding an extension of a real property lease at 575 Polk Street, on behalf of the Superior Court of San Francisco. (Real Estate Department)

Resolution No. 297-01

ADOPTED

010473 [Acquisition of noise easements for insulation of four religious assembly buildings and one skilled-nursing facility]

Resolution authorizing the acquisition of 5 noise easements for properties located in the City of San Bruno. (Real Estate Department)

Resolution No. 298-01

ADOPTED

**010532 [Bicycle Transit Improvements at Cesar Chavez]
Supervisors Maxwell, Ammiano, Newsom**

Resolution approving the Cooperative Agreement between the City and County of San Francisco and the State of California Department of Transportation concerning the construction and financing of a bicycle overcrossing and at-grade pedestrian/bicycle path widening on Highway 101 at Cesar Chavez Street in San Francisco and directing and ratifying certain actions in connection with this Resolution.

**Resolution No. 302-01
ADOPTED**

Recommendation of the Neighborhood Services and Parks Committee

**010452 [Library Fee Amnesty Program]
Supervisors Yee, Hall, Sandoval, Daly**

Ordinance amending the San Francisco Administrative Code by adding Section 8.21-3 to authorize the Library Commission to establish a Library fee amnesty program to take place during a two-week period prior to July 1, 2001, whereby the Library Commission, after notice and public hearing, is authorized to waive all fees charged for overdue San Francisco Public Library materials based on a finding that this amnesty program is likely to promote the return of needed Library materials or promote the increased use of the Library.

**Ordinance No. 64-01
FINALLY PASSED**

Recommendations of the Public Health and Environment Committee

**010438 [State grant to promote healthy eating at the local and regional levels]
Supervisor Newsom**

Resolution authorizing the Department of Public Health, Community Health Services, to accept retroactively and expend grant funds of \$25,000, from the California Department of Health Services for a Project LEAN Nutrition Network project and to enter into an agreement for the use of these funds; providing for ratification of action previously taken. (Public Health Department)

Supervisor Newsom requested to be added as sponsor.

**Resolution No. 293-01
ADOPTED**

**010439 [Grant from the State Office of AIDS for a survey of young men residing in low-income neighborhoods]
Resolution authorizing the Department of Public Health, AIDS Office, to accept retroactively and expend grant funds of \$50,000 from the State Office of AIDS for a survey of young low-income men and to enter into an agreement for the use of these funds; providing for ratification of action previously taken. (Public Health Department)**

**Resolution No. 294-01
ADOPTED**

Recommendations of the Rules Committee**010212 [Appointment]**

Resolution appointing Ted Gulucksen, term ending December 22, 2004, to the Lead Hazard Reduction Citizens Advisory Committee.

Ted Gulucksen, succeeding Rebecca Graff (term expired); Seat 11, must represent tenant organization, for a new four-year term ending December 22, 2004.

Clerk to correct spelling of "Gulucksen" to read "Gullicksen".

CLERICAL CORRECTION.

Resolution appointing Ted Gullicksen, term ending December 22, 2004, to the Lead Hazard Reduction Citizens Advisory Committee.

Ted Gullicksen, succeeding Rebecca Graff (term expired); Seat 11, must represent tenant organization, for a new four-year term ending December 22, 2004.

Resolution No. 291-01

ADOPTED

010444 [Appointment]

Resolution appointing Marie Harrison, term ending April 27, 2004, to the Sunshine Ordinance Task Force.

Marie Harrison, succeeding Marie Lorraine Mallare (resigned); Seat 4, must be appointed from names submitted by New California Media and be a journalist from a racial/ethnic-minority-owned news organization, for a new two-year term ending April 27, 2003.

Clerk to correct ending term to read "2003".

CLERICAL CORRECTION.

Resolution appointing Marie Harrison, term ending April 27, 2003, to the Sunshine Ordinance Task Force.

Marie Harrison, succeeding Marie Lorraine Mallare (resigned); Seat 4, must be appointed from names submitted by New California Media and be a journalist from a racial/ethnic-minority-owned news organization, for a new two-year term ending April 27, 2003.

Resolution No. 295-01

ADOPTED

010523 [Appointment]

Resolution appointing Michele Rutherford, indefinite term, to the Children and Families Commission.

Michele Rutherford, succeeding Will Lightbourne (resigned); Seat No. 2, shall be General Manager of Human Services or his/her designee, indefinite term.

Resolution No. 301-01

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Severed from Consent Agenda

010548 [Gift Acceptance, Public Library]

Resolution authorizing the San Francisco Public Library to accept and expend a gift of \$31,000 from the Friends and Foundation of the San Francisco Public Library to develop specified collections of books, magazines, video/audio resources and DVD's. (Public Library)

Supervisor Sandoval requested this matter be severed so it could be considered separately.

SEVERED FROM CONSENT AGENDA.

Resolution No. 303-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Finance Committee

Appointment of President Pro Tempore

At the request of the President, Supervisor Peskin assumed the Chair so the President could participate in the debate from the floor concerning the following item.

- 010437 [Settlement of business tax lawsuits; authorization to make binding settlement offers; authorization to settle unlitigated claims]
Supervisors Peskin, Leno, Hall, Maxwell, Yee

Ordinance authorizing settlement of the lawsuits filed by Eastman Kodak Company and General Motors Corporation versus the City and County of San Francisco by payment of a total amount not to exceed \$112,889.78 plus interest; the Eastman Kodak lawsuit was filed on April 22, 1999 in San Francisco Superior Court, Case No. 302983 (Court of Appeal No. A091910), entitled Eastman Kodak Company v. City and County of San Francisco; the General Motors lawsuit was filed on February 24, 1999 in San Francisco Superior Court, Case No. 301510 (Court of Appeal A091914), entitled General Motors Corporation v. City and County of San Francisco; the other material terms of the settlements are that the settlements shall include any claims for the 2000 tax year, plaintiffs shall not file any claims for refunds otherwise due pursuant to any repeal of the gross receipts tax ordinance for the 2000 tax year, the plaintiffs shall agree to join in an application for a stipulated reversal of the trial court decisions pursuant to California Code of Civil Procedure Section 128; authorizing the City Attorney to make offers to allow judgment pursuant to California Code of Civil Procedure Section 998 in various business tax cases, for a total amount not to exceed \$63,980,109.06; and further authorizing settlement of unlitigated claims, for a total amount not to exceed \$380,576.16.

(Supervisor Gonzalez dissenting in Committee.)

April 2, 2001 - Supervisor Newsom excused from voting in Board.

Supervisor Ammiano moved to amend as follows:

Page 1, line 5: reduce \$112,889.78 by 9.09% to \$102,628.10;

Page 1, line 18: reduce \$63,980,109.06 by 9.09% to \$58,164,317.15;

Page 1, line 19: reduce \$380,576.16 by 9.09% to \$345,981.79;

Page 2, line 5: reduce \$112,889.78 by 9.09% to \$102,628.10;

Page 8, line 10: reduce \$63,980,109.06 by 9.09% to \$58,164,317.15;

Page 9, line 11: reduce \$380,576.16 by 9.09% to \$345,981.79;

Add a new Section 5 to read: The Board authorizes the City Attorney to make settlement or 998 offers to any plaintiffs and claimants who agree to reduce their settlement figures by 9.09 percent, for a proportionate amount of the totals authorized in the ordinance.

And directing the City Attorney and Clerk of the Board to make any other changes to the legislation that need to be made [reserve the right to clean up language] in order to conform the remaining text of the ordinance to these amendments.

President Ammiano, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Yee

Noes: 2 - Daly, Sandoval

Excused: 1 - Newsom

Ordinance authorizing settlement of the lawsuits filed by Eastman Kodak Company and General Motors Corporation versus the City and County of San Francisco by payment of a total amount not to exceed \$102,628.10 plus interest; the Eastman Kodak lawsuit was filed on April 22, 1999 in San Francisco Superior Court, Case No. 302983 (Court of Appeal No. A091910), entitled Eastman Kodak Company v. City and County of San Francisco; the General Motors lawsuit was filed on February 24, 1999 in San Francisco Superior Court, Case No. 301510 (Court of Appeal A091914), entitled General Motors Corporation v. City and County of San Francisco; the other material terms of the settlements are that the settlements shall include any claims for the 2000 tax year, plaintiffs shall not file any claims for refunds otherwise due pursuant to any repeal of the gross receipts tax ordinance for the 2000 tax year, the plaintiffs shall agree to join in an application for a stipulated reversal of the trial court decisions pursuant to California Code of Civil Procedure Section 128; authorizing the City Attorney to make offers to allow judgment pursuant to California Code of Civil Procedure Section 998 in various business tax cases, for a total amount not to exceed \$58,164,317.15; and further authorizing settlement of unlitigated claims, for a total amount not to exceed \$345,981.79.

(Supervisor Gonzalez dissenting in Committee.)

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 7 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Peskin, Yee

Noes: 3 - Daly, Gonzalez, Sandoval

Excused: 1 - Newsom

010512 [Settlement of Obligation Bond Issuance]

Supervisor Peskin

Resolution providing for the issuance of not to exceed \$69,060,000 aggregate principal amount of City and County of San Francisco Settlement Obligation Bonds, Series 2001 (Business Tax Judgment); authorizing the execution, authentication and registration of said bonds; providing for an annual appropriation to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts relating thereto; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact; companion measure to File 010513.)

(Supervisor Gonzalez dissenting in Committee.)

April 2, 2001 - Supervisor Newsom excused from voting in Board.

Resolution No. 277-01

ADOPTED by the following vote:

Ayes: 6 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Peskin

Noes: 4 - Daly, Gonzalez, Sandoval, Yee

Excused: 1 - Newsom

**010513 [Settlement of Obligation Bond Sale]
Supervisor Peskin**

Resolution authorizing and directing the sale of not to exceed \$69,060,000 City and County of San Francisco Settlement Obligation Bonds, Series 2001 (Business Tax Judgment); prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts relating thereto; approving the forms of the Official Notice of Sale and the Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form and execution of the Official Statement relating thereto; approving the form of the Continuing Disclosure Certificate; approving modifications to the documents approved herein; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact.)

(Supervisor Gonzalez dissenting in Committee.)

April 2, 2001 - Supervisor Newsom excused from voting in Board.

Resolution No. 278-01

ADOPTED by the following vote:

Ayes: 6 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Peskin

Noes: 4 - Daly, Gonzalez, Sandoval, Yee

Excused: 1 - Newsom

From Finance Committee Without Recommendation

**010274 [Business Tax Gross Receipts]
Supervisors Gonzalez, Peskin, Maxwell, Hall, Sandoval, Daly, McGoldrick**

Ordinance amending the Business and Tax Regulations Code to (1) repeal Section 917.1 of Article 12-A and all of Article 12-B to eliminate the gross receipts method of calculating the tax on businesses; (2) enact a new Article 12 to amend business registration requirements consistent with the repeal of Article 12-B; and (3) enact a new Article 12-B to refund gross receipts-based tax payments for the 2000 tax year to the extent that such payments exceeded businesses' tax liability for such year as measured by their payroll expense.

(Fiscal impact.)

April 2, 2001 - Supervisor Newsom excused from voting in Board.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee

Noes: 1 - Gonzalez

Excused: 1 - Newsom

The President resumed the Chair.

NEW BUSINESS

Recommendations of the Finance Committee

010249 [Government Funding, Department of Elections]

Ordinance appropriating \$2,411,887 from the General Fund Reserve to fund salaries, fringe benefits, other current expenses, materials and supplies, and equipment for the Department of Elections for fiscal year 2000-2001; placing funds in the amount of \$800,000 on reserve; placing an additional \$251,000 of previously appropriated Fiscal Year 2000-2001 funds for the Department on reserve; providing for ratification of action previously taken. (Controller)

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Daly, Yee

Appointment of President Pro Tempore

At the request of the President, Supervisors Daly and Gonzalez, at different times, assumed the Chair.

The President resumed the Chair shortly thereafter.

010529 [Cesar Chavez City Holiday]

Supervisors Sandoval, Gonzalez, Daly, McGoldrick, Maxwell, Ammiano

Ordinance amending Chapter 16, Article 1 of the San Francisco Administrative Code by adding Section 16.5 to create an official holiday for March 31st, the birthday of Cesar Chavez.

Supervisor Gonzalez moved to amend by adding subparagraph (c) as follows:

(c) The process for establishing a paid holiday for City employees is the following:

(1) For employees represented by an employee organization whose labor contract (Memorandum of Understanding, or MOU) contains the following, or a similar, provision

"[A]ny day declared to be a holiday by proclamation of the Mayor after such day has heretofore been declared a holiday by the Governor...or the President..."

the Mayor may, by proclamation, provide a paid holiday for those employees covered by the MOU.

(2) For employees represented by an employee organization whose MOU does not contain the language included in subparagraph (1) above, or if the Mayor does not exercise her or his authority under the language in subparagraph (1) above, the Mayor, through the Department of Human Resources, may meet and confer with employee representatives and propose an amendment to the MOU that will provide a paid holiday for those employees covered by the MOU. Such a proposed MOU amendment, if agreed upon by the labor organization and the Mayor, must be approved, or rejected, by the Board of Supervisors, and would become effective the following fiscal year.

(3) For employees who are not represented by an employee organization, the City, by an ordinance approved by the Board of Supervisors, may amend the Unrepresented Employees Ordinance to provide an additional paid holiday for unrepresented City employees.

Supervisor Gonzalez, seconded by Supervisor Sandoval, moved that this Ordinance be **AMENDED**. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

Supervisor Newsom requested to be added as co-sponsor.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Noes: 1 - Hall

Absent: 1 - Yee

Recommendations of the Public Health and Environment Committee

010429 [Agreement, HIV Vaccine Clinical Trials]

Resolution authorizing the San Francisco Department of Public Health, (SFDPH), subcontractor, to enter into an agreement in the amount of \$247,970 with Public Health Foundation Enterprises, Inc. (PHFE), primary contractor, to fund the SFDPH portion for "San Francisco HIV Vaccine Clinical Trials", a unit of the HIV Vaccine Trials Network (HVTN); retroactively from the period June 1, 2000 to May 31, 2001. (Public Health Department)

Resolution No. 292-01

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Sandoval

Absent: 2 - Peskin, Yee

010449 [Contract, DPH - University of California, San Francisco]

Resolution authorizing the San Francisco Department of Public Health (SFDPH), subcontractor, to retroactively enter into an agreement in the amount of \$124,747.56 with the University of California, San Francisco (UCSF), primary contractor, for the "Behavioral, Basic and Clinical Studies of Post-Exposure Prophylaxis (PEP)" project for the period of September 30, 2000 to August 31, 2001. (Public Health Department)

Resolution No. 296-01

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin

Absent: 2 - Sandoval, Yee

SPECIAL ORDER - 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

010651 [Public Hearing]

Hearing to examine the process of re-drawing the district lines within San Francisco.

(April 9, 2001: Pursuant to motion adopted by the Board of Supervisors.)

Supervisor Sandoval moved to continue this matter to April 23, 2001.

Supervisor Sandoval, seconded by Supervisor Leno, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Appointment of President Pro Tempore

At the request of the President, Supervisor Hall assumed the Chair for a brief period.

The President resumed the Chair shortly thereafter.

PUBLIC COMMENT

*Robert Pender, invitation to birthday party April 29, inadequate Rent Board hearing meeting facility;
Michael Petrellis, questions the use of sexy advertising on AIDS vaccine by Department of Public Health;
James Chaffee, no private entities should be using public facilities without memorandum of understanding,
private foundation at Public Library is operating without one;
Carolyn Vancent, Linda Sato, Speak Up for Kids Day event;
Ron Smith, supports leasing Treasure Island housing for medical personnel;
Anna Perlis, more funding for animal care and control, another dog handler;
Sam Dotson, loss of temporary housing, sprinkler ordinance.*

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

010648 [Legislative Analyst Request]
Supervisors McGoldrick, Hall

Motion asking the Legislative Analyst to prepare a report outlining the effects of making pedestrian safety the highest priority in the decision making processes of DPT (and the Municipal Transportation Agency when it takes over the functions of DPT), as well as the effects of making the benchmark for effective pedestrian safety whether the most vulnerable sections of our population have been adequately protected. This report also should study whether other jurisdictions have implemented such policy measures and whether they have been successful in lowering pedestrian injuries and deaths.

APPROVED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval
Absent: 2 - Maxwell, Yee

**010649 [Legislative Analyst Request]
Supervisors Peskin, Hall**

Motion asking the Legislative Analyst to review and report on best practices in U.S. cities to combat the proliferation of graffiti. This report should include an identification of enforcement strategies, preventive programs and direct legislative actions that have proved successful in combating graffiti, as well as a specific assessment of cities' reactions to the use of hydrochloric acid in graffiti vandalism.

Supervisor Hall requested to be added as co-sponsor.

APPROVED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval
Absent: 2 - Maxwell, Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

**010624 [Southern Crossing]
Supervisors Leno, Daly, Gonzalez, Peskin**

Resolution urging the Metropolitan Transportation Commission to oppose plans for a Southern Crossing for automobile transit and to consider other transit alternatives for crossing the Bay.

Supervisors Daly, Gonzalez, Peskin requested to be added as co-sponsors.

Resolution No. 318-01

ADOPTED

**010625 [Cell Phone Use]
Supervisors McGoldrick, Daly, Gonzalez**

Resolution requesting San Francisco's representatives in the State Legislature to support amendments to the Vehicle Code to prohibit the use of hand-held cell-phones while driving a motor vehicle.

Supervisors Daly, Gonzalez requested to be added as co-sponsors.

Resolution No. 304-01

ADOPTED

**010627 [Doggie Diner Head]
Supervisor Newsom**

Resolution urging the Department of Public Works to immediately follow through with its commitments to the maintenance and costs for the relocation and restoration of the Doggie Diner Head, including the immediate establishment of a fund for donations to be made toward the cost of restoring the Doggie Diner Head.

Resolution No. 306-01

ADOPTED

010628 [Proclamation]
Supervisors Daly, Leno, Gonzalez, Peskin

Resolution commending Bertrand Delanoe on his election as Mayor of Paris, France, and proclaiming May 1st - International Workers Day, as "Mayor Bertrand Delanoe Day" in San Francisco.

Supervisors Gonzalez, Peskin requested to be added as co-sponsors.

Resolution No. 307-01

ADOPTED

010629 [Proclamation]
Supervisors Daly, Leno

Resolution declaring May 16, 2001 as Unity Jam Day in San Francisco.

Resolution No. 308-01

ADOPTED

010630 [Commendation]
Supervisors Daly, Newsom

Resolution commending John P. Mullane, Jr. for his decades of work on behalf of the City and County of San Francisco.

Resolution No. 309-01

ADOPTED

010631 [Commendation]
Supervisors Hall, Newsom

Resolution honoring Harry J. Quinn for his dedication in serving the City and County of San Francisco Real Estate Department.

Resolution No. 310-01

ADOPTED

010632 [Commendation]
Supervisors Hall, Newsom, Gonzalez, Peskin

Resolution honoring Anthony J. DeLucchi for his dedication in serving the City and County of San Francisco Real Estate Department.

Supervisors Newsom, Gonzalez, Peskin requested to be added as co-sponsors.

Resolution No. 311-01

ADOPTED

010633 [Commendation]
Supervisors Leno, Newsom, Daly, Gonzalez, Peskin

Resolution commending Francesca Vietor for her leadership as the Director of the Department of the Environment.

Supervisors Newsom, Daly, Gonzalez, Peskin requested to be added as co-sponsors.

Resolution No. 312-01

ADOPTED

010634 [Commendation]
Supervisors Leno, Newsom, Daly, Gonzalez

Resolution commending Delancey Street on its thirty years of community leadership.

Supervisors Newsom, Daly, Gonzalez requested to be added as co-sponsors.

Resolution No. 313-01

ADOPTED

010635 [Proclamation]
Supervisors Maxwell, Newsom, Daly, Peskin

Resolution declaring May 3rd, 2001 as World Asthma Day in San Francisco.

Supervisors Newsom, Daly, Peskin requested to be added as co-sponsors.

Resolution No. 314-01

ADOPTED

010636 [Commendation]
Supervisor Yee

Resolution commending President Xu Zhihong for his leadership of the Peking University and celebrating the occasion of the 6th anniversary of the founding of the Peking University Education Foundation.

Resolution No. 315-01

ADOPTED

010665 [Lease Amendment, Treasure Island Housing Preference]
Supervisors Daly, Peskin

Resolution approving and authorizing the Treasure Island Development Authority to enter into a second amendment to the Housing Sublease with the John Stewart Company to add licensed local hospital medical personnel to the categories of persons eligible for a right of first refusal leasing preference for such housing.

Supervisor Peskin requested to be added as co-sponsor.

Resolution No. 317-01

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval

Absent: 2 - Maxwell, Yee

Severed From For Adoption Without Committee Reference Agenda**010480 [Planning Department Audit]
Supervisors McGoldrick, Sandoval**

Motion requesting that a management audit of the Planning Department be added to the audit workplan, be given priority on this workplan, and be conducted at the earliest juncture.

Supervisor McGoldrick requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor McGoldrick moved to continue consideration to April 30, 2001.

Supervisor McGoldrick, seconded by Supervisor Leno, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval

Absent: 2 - Maxwell, Yee

**010481 [Amending proposed schedule of management audits of City and County Departments]
Supervisor McGoldrick**

Motion amending proposed schedule of management audits to be conducted of programs of City and County Departments by the Budget Analyst.

Supervisor McGoldrick requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor McGoldrick moved to continue consideration to April 30, 2001.

CONTINUED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval

Absent: 2 - Maxwell, Yee

**010536 [Business tax litigation funds for San Francisco youth]
Supervisor Sandoval**

Resolution requesting that businesses included in the settlement of the "Business Tax Litigation" spend settlement monies, other than those needed to pay for legal fees, on programs for San Francisco youth.

Supervisor Sandoval requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Sandoval requested this matter be referred to committee.

REFERRED to the Economic Vitality, Small Business and Social Policy Committee.

010626 [St. Luke's Hospital Proposed Affiliation]
Supervisor Ammiano

Resolution urging the California Attorney General to exercise his full powers under AB 254 to conduct a health impact study of any proposed affiliation involving St. Luke's Hospital, supporting the establishment of conditions for any potential affiliation agreement between St. Luke's Hospital and another hospital or health system, enumerating several such conditions, and urging the establishment of a committee to assist in monitoring the implementation of conditions.

Supervisor Ammiano requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Ammiano moved an amendment of the whole, bearing same title.

President Ammiano, seconded by Supervisor Leno, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval

Absent: 2 - Maxwell, Yee

Supervisors Daly, Peskin requested to be added as co-sponsors.

Resolution No. 305-01

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval

Absent: 2 - Maxwell, Yee

010637 [Commendation]
Supervisor Newsom

Resolution commending Standing Against Global Exploitation (SAGE) for receiving the Oprah's Angel Network "Use Your Life" Award and a gift donation of \$100,000.

Supervisor Newsom requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Newsom moved to amend page 1, line 5, to correct a typo to read "Oprah".

Supervisor Newsom, seconded by Supervisor Leno, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval

Absent: 2 - Maxwell, Yee

Resolution No. 316-01

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval

Absent: 2 - Maxwell, Yee

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**010676 [Business Tax Litigation Repayment Fund]
Supervisor Ammiano**

Ordinance adding new Section 10.100-285 to the Administrative Code establishing a San Francisco Business Tax Litigation Repayment Fund as a category two fund for the purpose of receiving all repayments made to the City and County of San Francisco by businesses that have recovered refunds of business taxes as a result of settlement of litigation and claims against the City and County of San Francisco filed by Eastman Kodak Company, General Motors and other businesses challenging the constitutionality of the City's dual payroll expense/gross receipts tax; authorizing the Controller to accept all such repayments to the fund; and, providing that the repayments received by the fund may be used for any lawful purpose of the City and County of San Francisco.

4/16/01, RECEIVED AND ASSIGNED to Finance Committee.

**010677 [Appropriation, Office of Contract Administration]
Mayor**

Ordinance appropriating \$334,000 from the Wage and Health Care Accessibility Reserve to fund salaries, fringe benefits, materials and supplies, and professional services for the Office of Contract Administration fiscal year 2000-2001.

(Fiscal impact; Companion measure to File 010678.)

4/16/01, RECEIVED AND ASSIGNED to Finance Committee.

**010678 [Public Employment]
Mayor**

Ordinance amending Ordinance No. 181-00 (Annual Salary Ordinance, 2000/01) reflecting the creation of fourteen new positions in Administrative Services, Office of Contract Administration.

(Fiscal impact.)

4/16/01, RECEIVED AND ASSIGNED to Finance Committee.

**010679 [Special Election, Power and Water Authority Directors]
Supervisors Hall, Newsom**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on November 6, 2001, for the purpose of submitting to the voters the election of five directors to serve on the board of directors of the Power and Water Authority; consolidating the special election for all purposes with the general municipal election to be held in the City and County of San Francisco on November 6, 2001; and directing the Director of Elections to take all steps necessary to conduct the election for these positions.
4/16/01, RECEIVED AND ASSIGNED to Rules Committee.

**010680 [Special Election, Power Authority Directors]
Supervisors Hall, Newsom**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on November 6, 2001, for the purpose of submitting to the voters the election of five directors to serve on the board of directors of the Power Authority; consolidating the special election for all purposes with the general municipal election to be held in the City and County of San Francisco on November 6, 2001; and directing the Director of Elections to take all steps necessary to conduct the election for these positions.
4/16/01, RECEIVED AND ASSIGNED to Rules Committee.

Resolutions

**010681 [Lease, Beach Chalet]
Supervisor Yee**

Resolution approving and authorizing the execution and delivery of a First Amendment to Lease for the Beach Chalet allowing for the construction of a deck at the rear of the building.
4/16/01, RECEIVED AND ASSIGNED to Finance Committee.

**010682 [AB 1419, Land Transfer, Transbay Terminal]
Supervisor Ammiano**

Resolution supporting AB 1419 (Aroner), requiring Caltrans to transfer land to the San Francisco Redevelopment Agency for the implementation of the Transbay Terminal Replacement Project; mandating that Caltrans lease to the Transbay Terminal Joint Powers Authority certain parcels of land for bus storage; and requiring the San Francisco Redevelopment Agency to dedicate to the Transbay Terminal project any tax increment funds and net proceeds from the disposition of state-owned land.
4/16/01, RECEIVED AND ASSIGNED to Finance Committee.

**010683 [Business and Payroll Tax]
Supervisor Gonzalez**

Resolution declaring the Board of Supervisors' intent that if the courts strike down the "alternative tax" aspect of the City's business tax, only the payroll expense measure of the tax should be applied, and relief should be limited to granting claimants a refund of the difference between any amount actually paid under the gross receipts measure of the business tax and what they would have paid under the payroll expense measure.
4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010684 [Business Tax Litigation Funds]
Supervisors Leno, Maxwell

Resolution urging, in the case of settlement, the businesses included in the proposed settlement of the "Business Tax Litigation" to return settlement monies to the San Francisco General Fund for discretionary spending, and that the City Controller track these funds which are returned to the General Fund, reporting to the Finance Committee on a regular basis.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010685 [Carbon dioxide emissions]
Supervisors Gonzalez, Daly, Hall, Leno, Peskin

Resolution urging the governor and state legislature of California to direct state agencies and departments to implement a program to reduce carbon dioxide emissions, in recognition of the tremendous environmental, economic, and public health threats posed by global warming.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010686 [Lease amendment, Theatre Bay Area]
Supervisor Leno

Resolution approving and authorizing a First Amendment to Lease with Theatre Bay Area, a California nonprofit public benefit corporation, related to certain ticket kiosk premises located on Union Square, San Francisco, allowing for the lessee to vacate the original ticket kiosk premises, relocate temporarily to other premises and consent to the demolition of the original kiosk improvements; and authorizing and ratifying the execution and delivery by the General Manager of the Recreation and Parks Department of the First Amendment and any related documents, and the taking of such actions by said General Manager as may be necessary in furtherance of this resolution.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010687 [AB 1649, Fair Employment and Housing Act]
Supervisors Leno, McGoldrick, Gonzalez, Daly, Peskin

Resolution urging the Assembly to pass AB 1649 authored by Jackie Goldberg to include "gender" in the Fair Employment and Housing Act.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010688 [SB 308, Child Care for Eligible Children Act]
Supervisors Leno, Newsom, McGoldrick, Maxwell, Peskin

Resolution urging the California State Legislature to adopt and Governor Davis to sign SB 308 the Child Care for Eligible Children Act.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010689 [Inflammatory use of negative Chinese stereotypes]
Supervisors McGoldrick, Yee, Leno, Hall, Peskin**

Resolution condemning the inflammatory use of negative Chinese stereotypes by news media and calling on news media to institute measure to improve relations with Chinese-Americans.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010690 [Electric Service review]
Supervisor Newsom**

Resolution instructing the Public Utilities Commission, the Board of Supervisors Budget Analyst and the Controller's Office to assist the Board of Supervisors in determining the most effective means of providing electric service to the people of San Francisco by developing the following: 1) An analysis of the current book value of all assets of the Pacific Gas & Electric Company (PG&E); and 2) The creation of a task force to determine what are the next steps necessary in order to acquire PG&E assets.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010691 [Analysis of electric service options]
Supervisors Newsom, Hall**

Resolution requesting the San Francisco Local Agency Formation Commission to assist the Board of Supervisors with a full analysis of public power options and conservation/energy efficiency measures so that the Board may use this information to determine the best way of providing reliable, cost effective, environmentally responsible electric service to San Francisco.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010692 [Development Fees]
Supervisors Peskin, Daly, Gonzalez, Leno**

Resolution urging the Planning Commission to certify existing studies calculating the Average Area Purchase Price commissioned by the Mayor's Office of Housing from 1997 through 2001, adjust the in lieu development fees during this time period accordingly, and collect from developers the sum of adjusted in lieu development fees to the maximum extent legally permissible.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010693 [H.R. 1487, tax relief for high tech workers]
Supervisors Daly, Leno**

Resolution supporting H.R. 1487, which would amend the Internal Revenue Code of 1986 to repeal the alternative minimum tax treatment of incentive stock options, thereby changing the taxable event from the exercise of stock to the sale of stock.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010694 [Holocaust-era lawsuits]
Supervisors Daly, Leno, Peskin**

Resolution urging the United States Department of Justice, Eastman Kodak Company, Standard Oil Corporation, International Telephone and Telegraph Company, International Business Machines, and Ford Motor Corporation to release documents related to Holocaust-era lawsuits.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010695 [Grant, Public Utilities]
Supervisors McGoldrick, Gonzalez**

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of \$75,840 from the California Energy Commission to reduce peak load at Harry Tracy Water Treatment Plant.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010696 [Commendation]
Supervisors Hall, Yee**

Resolution commending the Institute for Student Achievement for working in partnership with schools and school districts, in particular McAteer High School, to enable at-risk middle and high school students to stay in school, graduate, and go on to college or other post-secondary education, job training, or work.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010697 [Proclamation]
Supervisors Leno, McGoldrick, Maxwell, Newsom, Hall, Daly**

Resolution declaring May 13 through 19, 2001, Juror Appreciation Week.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010698 [Proclamation]
Supervisors Newsom, Hall**

Resolution ratifying that the Board of Supervisors declares the period between May 13th and June 17th, 2001 as "Elder Abuse Awareness Month" in the City and County of San Francisco.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010699 [Treasure Island Fire Training Sublease]
Supervisor Daly**

Resolution approving a sublease between the City and County of San Francisco (The "City") and the Treasure Island Development Authority (The "Authority") for property on Treasure Island generally bounded by 8th Street to the south, 10th Street to the north, M Street to the west, and N Street to the east for use as a fire training facility at an annual rent of \$1,740,000 per year.

(Fiscal impact.)

(District 6)

4/16/01, RECEIVED AND ASSIGNED to Finance Committee.

**010702 [Commendation]
Supervisors Newsom, Sandoval, Daly, Peskin**

Resolution commending the significant efforts of the San Francisco Veterans Equity Center (SFVEC), for providing social, educational, legal, recreational and other services to over 800 Filipino veterans and urging the Mayor to allocate \$250,000 an annual budget line item beginning with the Fiscal Year 2001-02 to support the continued operations of the Filipino Veterans Equity Center.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010703 [Commendation]
Supervisors Sandoval, Daly**

Resolution commending the organizations and individuals who spoke up for the youth of San Francisco on 'Speak Up for Kids Day' at City Hall.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010704 [Commendation]
Supervisor Yee**

Resolution commending Jacques Herzog and Pierre de Meuron for being awarded the 2001 Pritzker Architecture Prize.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendments

010596 [Power Authority]
Supervisors Newsom, Hall

Charter amendment (Third Draft) to repeal Section 16.103, amend Sections 4.112, 9.107 and 13.101 and to add new Sections 4.134, 4.135, 4.136, 4.137 and 4.138 and 4.139, to form a Power Authority which shall succeed to all powers and responsibilities of the Public Utilities Commission related to energy operations, propose ordinances setting energy and water efficiency goals and standards that may become effective without action by the Board of Supervisors, and to remove authority for the transfer of excess surplus utility funds from energy operations to the City's General Fund.

(Fiscal impact.)

4/2/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/2/2001.

4/9/01, SUBSTITUTED. Supervisor Newsom submitted a substitute charter amendment (Second Draft) bearing new title.

4/9/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/9/2001.

4/16/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/16/2001.

4/16/01, SUBSTITUTED. Supervisor Newsom submitted a substitute charter amendment (Third Draft), approved as to form, bearing new title.

010597 [Power and Water Authority]
Supervisors Newsom, Hall

Charter amendment (Third Draft) to repeal Sections 4.112 and 16.103, amend Sections 9.107 and 13.101, and add new Sections 4.134, 4.135, 4.136, 4.137, and 4.138 to: eliminate the Public Utilities Commission; form a newly established Power and Water Authority which shall succeed to all powers and responsibilities of the Public Utilities Commission, propose ordinances setting energy and water efficiency goals and standards that may become effective without action by the Board of Supervisors; and remove authority for the transfer of excess surplus utility funds to the City's General Fund.

(Fiscal impact.)

4/2/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/2/2001.

4/9/01, SUBSTITUTED. Supervisor Newsom submitted a substitute charter amendment (Second Draft) bearing new title.

4/9/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/9/2001.

4/16/01, SUBSTITUTED. Supervisor Newsom submitted a substitute charter amendment (Third Draft), approved as to form, bearing new title.

4/16/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/16/2001.

Requests for Hearing

010705 [Pedestrian Safety]
Supervisor Hall

Hearing to consider reports of promising pedestrian safety statistics, and to consider current programs and future proposals from the Department of Parking and Traffic and the Health Department to continue to improve pedestrian safety.

4/16/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010706 [Ambulance Services]
Supervisor Hall**

Hearing to consider citywide strategy for managing ambulances delivering patients to hospitals.
4/16/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

**010707 [Chinese Language Public Library Collection]
Supervisor Yee**

Hearing to discuss the San Francisco Public Library's Chinese language collection, including a breakdown of the collection by branch library.
4/16/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

**010708 [Recreation and Park Department]
Supervisor Yee**

Hearing to discuss the Recreation and Park Department's 10-year Capital Plan.
4/16/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

**010709 [Minority and Women-owned Business Enterprises]
Supervisor Daly**

Hearing on the City's minority and women-owned enterprise program, to consider departmental compliance with the Citywide Diversity Tracking System, and to review data that documents underutilization of minority and women-owned business enterprises.
4/16/01, RECEIVED AND ASSIGNED to Finance Committee.

**010710 [Children's Fund Expenditures]
Supervisor Daly**

Hearing to investigate the Department of Children, Youth and their Families' district by district breakdown of Children's Fund expenditures for fiscal year 2000-2002.
4/16/01, RECEIVED AND ASSIGNED to Finance Committee.

**010715 [Parking at City Facilities]
Supervisor Daly**

Hearing to consider changes in City parking policies and regulations to prohibit the City from giving anyone a preference with regard to curbside parking spaces, with the exception of certain justified reasons.
4/16/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010716 [PG&E's financial obligations]
Supervisor Yee**

Hearing to receive information from the City Controller, the City Attorney, and other pertinent departments detailing PG&E's financial obligations to the City and County of San Francisco, including franchise fees and undergrounding commitments, and how the City will ensure that PG&E fulfills its obligations.
4/16/01, RECEIVED AND ASSIGNED to Finance Committee.

**010717 [PG&E's bankruptcy filing]
Supervisor Daly**

Hearing to consider the potential impact of PG&E's bankruptcy filing on the City and County of San Francisco, and to develop solutions.

4/16/01, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

Motions

010700 [Special off site meetings of the Finance Committee]

Motion setting special off site meetings of the Finance Committee for the purpose of receiving community input on the City and County of San Francisco's 2001-2002 budget. (Clerk of the Board)

(Saturday, May 12, 2001, 10:00 a.m., James Denman Middle School Auditorium, 241 Oneida Street;

Wednesday, May 16, 2001, 7:00 p.m., Stonestown YMCA, Lane Senior Annex
3150 20th Avenue;

Thursday, May 17, 2001, 7 p.m., Everett Middle School, 450 Church Street;

Saturday, May 19, 2001, 12:00 p.m., Southeast Community Facility, 1800 Oakdale Avenue;

Wednesday, May 23, 2001, 7 p.m., George Moscone Elementary School, 2576 Harrison Street;

Wednesday, May 30, 2001, 5:30 p.m., Tenderloin Police Station, 301 Eddy Street;

Thursday, May 31, 2001, 6:30 p.m., Newcomer High School, 2340 Jackson Street.)

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010701 [Time limits for public speakers who request translation assistance]
Supervisor Maxwell**

Motion amending the Rules of Order of the Board of Supervisors by adding Rule 1.2.1, which will provide twice the amount of speaking time for public speakers who request translation assistance at meetings of the Board of Supervisors and Board Committees.

4/16/01, RECEIVED AND ASSIGNED to Rules Committee.

**010718 [Youth Recognition]
Supervisor Daly**

Motion directing the Clerk of the Board of Supervisors to work with the Youth Commission and interested members of the Board of Supervisors to plan for and execute a Youth Recognition Day, to occur in the fall of each year.

4/16/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

**010719 [Legislative Analyst Request]
Supervisor Daly**

Motion asking the Legislative Analyst to study and report on mortgage assistance programs used in other jurisdictions and the necessary steps and feasibility of establishing such as program in San Francisco.

4/16/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration April 23, 2001.

**010720 [Legislative Analyst Request]
Supervisor Daly**

Motion asking the Legislative Analyst to report on the number of baked goods that San Francisco's seniors would have to sell to earn \$36 million for affordable housing, if these baked goods are sold for \$0.25 each. 4/16/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration April 23, 2001.

**010721 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

**010515 [Fees for licenses or permits for inspections by the Department of Public Health effective July 1, 2001]
Supervisor Gonzalez**

Ordinance amending the San Francisco Municipal Code Business and Tax Regulations Code by amending Sections 35, 120, 248 and 249.1, relating to fees for licenses or permits for inspections by the Department of Public Health. (Public Health Department)

4/10/01, RECEIVED AND ASSIGNED to Finance Committee. Department requests this item be scheduled for consideration at the April 25, 2001 meeting.

**010668 [Planning Code Amendment, Changing the Designation of 678 Mission Street as a Category III Building]
Ordinance changing the designation of 678 Mission Street from Category V (Unrated) to Category III (Contributory) pursuant to Article 11 of the Planning Code, and amending Appendix C of Article 11 to include 678 Mission Street as a Category III building. (Planning Department)**

(Planning Commission Resolution No. 16101 adopted February 22, 2001, Case No. 2000.077G; Report submitted by California Historical Society dated September 2000 on the historic and architectural significance of 678 Mission Street.)

4/11/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 5/16/2001.

PROPOSED RESOLUTIONS

010363 [Acquisition of Noise Easements for South S.F. Unified School District]

Resolution authorizing the acquisition of six noise easements for schools owned by the South San Francisco Unified School District. (Real Estate Department)

4/10/01, RECEIVED AND ASSIGNED to Finance Committee.

010555 [Major encroachment Permit, 160 Harrison Street]

Resolution granting revocable permission to Abovenet Communications, Inc. to reconstruct an existing railroad spur (elevated platform) along Main Street as access to their building located at 160 Harrison Street. (Public Works Department)

4/10/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

010652 [Withdrawal of five (5) property owners in the City of Pacifica from noise insulation program and delivery of quitclaim deeds to said property owners]

Resolution authorizing the conveyance of five (5) quitclaim deeds to property owners in the City of Pacifica to rescind Grants of Easement (noise easement deeds) previously acquired by San Francisco. (Real Estate Department)

4/10/01, RECEIVED AND ASSIGNED to Finance Committee.

010654 [Lease of City-owned land to S.J. Amoroso Properties]

Resolution authorizing a ten year lease of Public Utilities Commission land between the City and County of San Francisco and S. J. Amoroso Properties, in Santa Clara County. (Public Utilities Commission)

4/6/01, RECEIVED AND ASSIGNED to Finance Committee.

010660 [Extension and Renewal of Nine (9) Existing Leases for Public Health]

Resolution authorizing extension and renewal, on a month-to-month basis, not to exceed twelve months, of certain existing leases of real property required by the Department of Public Health. (Real Estate Department)

4/11/01, RECEIVED AND ASSIGNED to Finance Committee.

010666 [2001 Affordable Housing Bond Sale]

Resolution authorizing and directing the sale of not to exceed \$40,000,000 of City and County of San Francisco General Obligation Bonds (Affordable Housing) Series 2001C and City and County of San Francisco Taxable General Obligation Bonds (Affordable Housing) Series 2001D; prescribing the form and terms of said Bonds; authorizing the execution, authentication and registration of said Bonds; providing the appointment of depositories and other agents for said Bonds; providing for the establishment of accounts related thereto; approving the forms of Official Notice of Sale of Bonds and Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form and execution of the Official Statement relating thereto; approving the form of the Continuing Disclosure Certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds. (Mayor)

4/11/01, RECEIVED AND ASSIGNED to Finance Committee.

010667 [Airport Lease Agreement Modification for United Airlines, Inc.]

Resolution approving Lease Modification Number Fifteen for Lease No. 82-0126 between United Airlines, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

4/11/01, RECEIVED AND ASSIGNED to Finance Committee.

010669 [Agreement of Purchase and Sale for Real Estate at 30 Van Ness Avenue (Certificates of Participation, Series 200A and Taxable Series 2001B)]

Resolution authorizing the execution and delivery of the Agreement of Purchase and Sale for Real Estate (the "Original Agreement"), as amended by a First Amendment to Agreement of Purchase and Sale for Real Estate (the "First Amendment" and together with Original Agreement, the "Purchase Agreement"), between the City and County of San Francisco (the "City"), as buyer, and the Herbst Foundation, Inc. (the "Seller"), as seller (including certain indemnities contained therein), for the purchase of real property and improvements thereon consisting of a five-story office building located at 30 Van Ness Avenue, San Francisco (collectively, the "Property"); approving the forms of an office lease between the City, as landlord, and the Seller, as tenant (the "Herbst Lease") and an office lease between the City, as landlord, and Merriman Brothers, as tenant (the "Merriman Lease") (collectively, the "Office Leases"); approving the execution and delivery of certificates of participation to finance the acquisition of and improvements to the Property; approving the form of the Project Lease between the City and a Trustee (including certain indemnities contained therein); authorizing the selection of a Trustee; approving the form of the Trust Agreement between the City and a Trustee (including certain indemnities contained therein); approving the form of the Official Notice of Sale and Notice of Intention to Sell for the Series 2001A Certificates and Taxable Series 2001B Certificates (as defined herein); approving the form of the Official Statement in preliminary and final form; approving the form of a Continuing Disclosure Certificate; authorizing the filing of a validation action validating the execution and delivery of the certificates of participation; authorizing reimbursement of certain expenditures; authorizing the payment of costs of issuance; adopting findings under the California Environmental Quality Act and findings to the City Planning Code Section 101.1; and ratifying previous actions taken in connection therewith. (Mayor)

(Fiscal impact.)

4/11/01, RECEIVED AND ASSIGNED to Finance Committee.

010670 [Grant, State Transportation Improvement Program]

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of \$500,000 from the California Transportation Commission's State Transportation Improvement Program (STIP) for the Illinois Street Intermodal Bridge over Islais Creek, and foregoing the reimbursement of indirect costs. (Port)

4/11/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

Requests Granted

From: Supervisor Leno

To: City Attorney

Requesting/Inquiring: To draft legislation creating an Office of Adolescent Health for the Department of Public Health which would establish overall health improvement outcomes for adolescents, be the single point of contact for adolescent health services and issues, investigate funding options for adolescent health services from private and public sources and review the adolescent health collaborative's strategic plan to make recommendations for application of the plan in San Francisco.

From: Supervisor Leno

To: City Attorney

Requesting/Inquiring: To draft legislation which would allow City employees to take a paid, hour long leave from work to donate blood through the City's blood drive.

From: Supervisor Newsom

To: City Attorney

Requesting/Inquiring: To provide a legal opinion regarding the process by which the City and County of San Francisco may make an acquisition of the PG&E distribution system; and determine the value of the PG&E distribution system.

From: Supervisor Yee

To: Director, Department of Real Estate

Requesting/Inquiring: To survey lands near Fort Funston for the purpose of reporting which lands are available for purchase by the City. The report should include the location, size, cost, and suitability of the land for open space recreational use, including which Fort Funston lands are included in the deed and would return to the City if the reversionary clause were exercised.

From: Supervisor Ammiano

To: City Attorney

Requesting/Inquiring: To draft legislation repealing the surplus business tax revenue credit.

From: Supervisor Ammiano

To: City Attorney

Requesting/Inquiring: To form a committee charged with rewriting the City's Business Tax Code. This rewriting will serve to clarify the tax structure, and ensure the future fiscal health of the City's general fund. This committee will be charged with rewriting the business tax code in a manner that requires larger firms to pay their fair share, while protecting small business taxpayers.

From: Supervisor Ammiano

To: City Attorney

Requesting/Inquiring: To draft legislation amending the New Jobs Tax Credit such that new utility installations, including power plants that operate on carbon-based fuels and server farms, and new big box retail stores are ineligible to receive the credit. The legislation should also direct the Office of the Legislative Analyst to develop a list of business types who are unlikely to make siting decisions based on the existence of tax credits and should therefore be ineligible to receive such tax credits.

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft legislation to remove Justin Herman's name from the Plaza located at Market Street and the Embarcadero.

From: Supervisor Daly

To: Controller

Requesting/Inquiring: To report on the financial assistance available to nonprofits for emergency rental and moving assistance, and utilization to date with a remaining balance.

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft amendments to the appropriations providing emergency rental and moving assistance to nonprofits, so that these funds may also be used for unexpected energy rate increases.

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft legislation to alter the composition of the Landmarks Preservation Board so that most of the appointments are made by the Board of Supervisors, with the remainder made by the Mayor.

From: Supervisors Daly, Newsom, Sandoval, Yee

To: Director, Department of Children, Youth and their Families

Requesting/Inquiring: To provide a district by district breakdown of the Children's Fund expenditures for fiscal year 2000/01. File 010710

From: Supervisor Daly

To: Director, Port

Requesting/Inquiring: To report on the Department's response to the Youth Commission memorandum of April 12, 2001 outlining recommendations for waterfront uses. Additionally, inquiring as to all major policy and planning documents related to skateboarding on Port property.

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft legislation waiving swimming pool fees for San Francisco's young people.

From: Supervisor Daly

To: Director, Youth Commission

To: Director, Mayor's Budget Office

To: General Manager, Recreation and Park Department

Requesting/Inquiring: That the Directors of the Youth Commission, Mayor's Budget Office and the General Manager, Recreation and Park Department report on the positions of the respective Departments on the policy option of waiving pool fees for San Franciscans 22 and younger.

From: Supervisor Daly

To: Director, Planning Department

Requesting/Inquiring: Requesting comments on a potential change in use for Lot 17 of Block 393 located between Folsom and Clementina Streets from residential to commercial office.

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft legislation to change the use for Lot 17 of Block 393 located between Folsom and Clementina Streets from residential to commercial office.

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Walter Carpeneti (Supervisor Hall)

Wen Hsuen Sheng (Supervisor Yee)

George Burrafata (Supervisor Peskin)

ADJOURNMENT

There being no further business, the Board at the hour of 6:32 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 4, 2001.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited

Gloria L. Young
Clerk of the Board

3/0/ .

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Monday, April 23, 2001 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular meeting

TOM AMMIANO, PRESIDENT

*CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE MCGOLDRICK, GAVIN NEWSOM
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE*

Gloria L. Young, Clerk of the Board

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BOARD COMMITTEES

Committee Membership

Audit, Labor and Government Efficiency Committee

Supervisors Newsom, Daly, McGoldrick

City and School District Committee

Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynns, Commissioner Mar

Economic Vitality, Small Business and Social Policy Committee

Supervisors Sandoval, Newsom, Maxwell

Finance Committee

Supervisors Leno, Peskin, Gonzalez

Housing, Transportation and Land Use Committee

Supervisors McGoldrick, Daly, Peskin

Neighborhood Services and Parks Committee

Supervisors Yee, Hall, Sandoval

Public Health and Environment Committee

Supervisors Maxwell, Yee, Leno

Public Utilities and Deregulation Committee

Supervisors Daly, Gonzalez, Ammiano

Rules Committee

Supervisors Gonzalez, Hall, Ammiano

Meeting Days

2nd & 4th Tuesday
1:00 PM

Call of the Chair

1st & 3rd Tuesday
10:00 AM

Wednesday
10:00 AM

2nd & 4th Thursday
10:00 AM

1st & 3rd Tuesday
1:00 PM

2nd & 4th Tuesday
10:00 AM

Call of the Chair

1st & 3rd Thursday
1:00 PM

Members Present: Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

Members Absent: Tom Ammiano, Gavin Newsom.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

In the absence of President Tom Ammiano, the meeting was called to order at 2:04 p.m. by the Acting Clerk.

On call of the roll, the following Supervisors were noted absent:

Supervisors Ammiano, Leno, Newsom - 3.

Quorum present.

Supervisor Ammiano was excused. (See infra.)

Supervisor Leno was noted present at 2:05 p.m.

Supervisor Newsom was excused. (See infra.)

Election of President Pro Tempore

Supervisor Yee, seconded by Supervisor Leno, moved to select a President Pro Tempore. Traditionally, the person selected as President Pro Tempore is the person who will be last on the roll call for the introduction of legislation today, Supervisor Matt Gonzalez. The motion carried by the following vote:

Ayes: 9 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee

Absent: 2 - Ammiano, Newsom

President Pro Tempore Matt Gonzalez thereupon assumed the Chair.

Supervisors Ammiano and Newsom Excused from Attendance

Supervisor Leno, seconded by Supervisor Yee, moved to excuse Supervisors Ammiano and Newsom from attending today's meeting. The motion carried by the following vote:

Ayes: 9 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee

Absent: 2 - Ammiano, Newsom

Introduction of Guests

Supervisor Yee introduced, welcomed and presented a Certificate of Honor to Officer Michael Androvich and Officer Moses Gala for saving the life of a 17-month old child.

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled or considered differently.

Supervisor Gonzalez indicated his wish to call the matter relating to the process of re-drawing district lines, File 010651 after the matter relating to the De Haro Street tentative subdivision map, File 010662. (See infra.)

CONSENT AGENDA

Recommendation of the Audit, Labor and Government Efficiency Committee

010514 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Sarona Collins and James Dannenberg against the City and County of San Francisco for \$125,000; the lawsuit was filed on January 26, 2000 in Superior Court, Case No. 309-463; entitled Sarona Collins and James Dannenberg, et al., v. City and County of San Francisco, et al.; the City agrees that it will attempt to expedite the payment of this settlement. (City Attorney)

Ordinance No. 66-01

FINALLY PASSED

Recommendation of the Economic Vitality, Small Business and Social Policy Committee

010493 [State Grant]

Mayor

Resolution authorizing the Mayor's Criminal Justice Council (MCJC) to retroactively accept and expend funds in the amount of \$592,198 from the Office of Criminal Justice Planning (OCJP), State of California, from funds made available under the Juvenile Accountability Incentive Block Grant (JAIBG) Program.

Resolution No. 300-01

ADOPTED

Recommendations of the Housing, Transportation and Land Use Committee**010446 [Stop Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Griffith and Quesada Streets, northeast and southwest corners, stopping Quesada Street (makes this uncontrolled intersection a two-way STOP)

Rutland Street and Tucker Avenue, northwest and southeast corners, stopping Rutland Street (makes this an all-way STOP) (Parking and Traffic Department)

(DPT Order No. 2181.)

Resolution No. 319-01

ADOPTED

010447 [Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

9th Avenue, both sides, between Judah and Kirkham Streets (1400 block)

Kirkham Street, both sides, between 9th and 10th Avenues (500 block)

RESIDENTIAL PERMIT PARKING AREA "O" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

16th Avenue, both sides, between Santiago Street and Cecilia Avenue (northern portion of 2300 block)

RESIDENTIAL PERMIT PARKING AREA "W" (1-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

26th Street, both sides, between Hampshire and York Streets (2800 block) (Parking and Traffic Department)

(DPT Order No. 2181.)

Resolution No. 320-01

ADOPTED

- 010448 [Traffic Regulations, Various Streets]
Resolution enacting and rescinding traffic regulations on various streets.

MULTIPLE RIGHT TURN LANES - ESTABLISH
4th Street, southbound, at King Street

NO RIGHT TURN ON RED - ESTABLISH
Powell Street, southbound, at Jackson Street

NO RIGHT TURN ON RED, 3 PM - 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Fremont Street, southbound, at Harrison Street
Main Street, southbound, at Harrison Street
Spear Street, southbound, at Harrison Street

NO RIGHT TURNS - RESCIND
NO RIGHT TURNS, 3 PM - 8 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Harrison Street, eastbound, at 1st Street

NO LEFT TURNS, 3 PM - 7 PM - RESCIND
NO LEFT TURNS, 3 PM - 8 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Harrison Street, westbound, at Essex Street

NO STOPPING ANYTIME - RESCIND
NO STOPPING, EXCEPT 5 AM - 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Mission Street, south side, from 218 feet to 328 feet east of 5th Street (110-foot zone)

STREET CLOSED TO VEHICULAR TRAFFIC, 11 AM - 2 PM, MONDAY THROUGH FRIDAY -
ESTABLISH
Shaw Alley, between Mission and Minna Streets

NO TURN ON RED - ESTABLISH
Stockton Street, both directions, at Clay Street
Stockton Street, both directions, at Jackson Street
Stockton Street, both directions, at Pacific Avenue
Stockton Street, both directions, at Washington Street
Clay Street, eastbound, at Stockton Street
Jackson Street, eastbound, at Stockton Street
Pacific Avenue, westbound, at Stockton Street
Washington Street, westbound, at Stockton Street (Parking and Traffic Department)

(DPT Order No. 2181.)

Resolution No. 321-01
ADOPTED

- 010479 [Grant funds for Traffic Collision Records Management System]
Resolution authorizing the Department of Parking and Traffic to accept and expend a grant in the amount of \$60,000 from the State of California-Office of Traffic Safety for implementation of a comprehensive traffic collision records management system. (Parking and Traffic Department)

Resolution No. 322-01
ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee

Absent: 2 - Ammiano, Newsom

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Finance Committee

010249 [Government Funding, Department of Elections]

Ordinance appropriating \$2,411,887 from the General Fund Reserve to fund salaries, fringe benefits, other current expenses, materials and supplies, and equipment for the Department of Elections for fiscal year 2000-2001; placing funds in the amount of \$800,000 on reserve; placing an additional \$251,000 of previously appropriated Fiscal Year 2000-2001 funds for the Department on reserve; providing for ratification of action previously taken. (Controller)

(Fiscal impact.)

Ordinance No. 65-01

FINALLY PASSED by the following vote:

Ayes: 7 - Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 2 - Daly, Yee

Absent: 2 - Ammiano, Newsom

010529 [Cesar Chavez City Holiday]

Supervisors Sandoval, Gonzalez, Daly, McGoldrick, Maxwell, Ammiano, Newsom

Ordinance amending Chapter 16, Article 1 of the San Francisco Administrative Code by adding Section 16.5 to create an official holiday for March 31st, the birthday of Cesar Chavez.

Ordinance No. 67-01

FINALLY PASSED by the following vote:

Ayes: 8 - Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee

Noes: 1 - Hall

Absent: 2 - Ammiano, Newsom

- 010437 [Settlement of business tax lawsuits; authorization to make binding settlement offers; authorization to settle unlitigated claims]
Supervisors Peskin, Leno, Hall, Maxwell, Yee

Ordinance authorizing settlement of the lawsuits filed by Eastman Kodak Company and General Motors Corporation versus the City and County of San Francisco by payment of a total amount not to exceed \$102,628.10 plus interest; the Eastman Kodak lawsuit was filed on April 22, 1999 in San Francisco Superior Court, Case No. 302983 (Court of Appeal No. A091910), entitled Eastman Kodak Company v. City and County of San Francisco; the General Motors lawsuit was filed on February 24, 1999 in San Francisco Superior Court, Case No. 301510 (Court of Appeal A091914), entitled General Motors Corporation v. City and County of San Francisco; the other material terms of the settlements are that the settlements shall include any claims for the 2000 tax year, plaintiffs shall not file any claims for refunds otherwise due pursuant to any repeal of the gross receipts tax ordinance for the 2000 tax year, the plaintiffs shall agree to join in an application for a stipulated reversal of the trial court decisions pursuant to California Code of Civil Procedure Section 128; authorizing the City Attorney to make offers to allow judgment pursuant to California Code of Civil Procedure Section 998 in various business tax cases, for a total amount not to exceed \$58,164,317.15; and further authorizing settlement of unlitigated claims, for a total amount not to exceed \$345,981.79.

(Supervisor Gonzalez dissenting in Committee.)

Ordinance No. 62-01

FINALLY PASSED by the following vote:

Ayes: 6 - Hall, Leno, Maxwell, McGoldrick, Peskin, Yee

Noes: 3 - Daly, Gonzalez, Sandoval

Absent: 2 - Arriamano, Newsom

From Finance Committee Without Recommendation

- 010274 [Business Tax Gross Receipts]
Supervisors Gonzalez, Peskin, Maxwell, Hall, Sandoval, Daly, McGoldrick

Ordinance amending the Business and Tax Regulations Code to (1) repeal Section 917.1 of Article 12-A and all of Article 12-B to eliminate the gross receipts method of calculating the tax on businesses; (2) enact a new Article 12 to amend business registration requirements consistent with the repeal of Article 12-B; and (3) enact a new Article 12-B to refund gross receipts-based tax payments for the 2000 tax year to the extent that such payments exceeded businesses' tax liability for such year as measured by their payroll expense.

(Fiscal impact.)

Ordinance No. 63-01

FINALLY PASSED by the following vote:

Ayes: 6 - Hall, Leno, Maxwell, McGoldrick, Peskin, Yee

Noes: 3 - Daly, Gonzalez, Sandoval

Absent: 2 - Arriamano, Newsom

NEW BUSINESS

Recommendation of the Economic Vitality, Small Business and Social Policy Committee

010539 [State Grant]
Mayor, Supervisors Maxwell, Sandoval

Resolution authorizing the Mayor's Criminal Justice Council (MCJC) to accept and expend funds in the amount of \$2,831,068 from the State Board of Corrections, from funds made available under Assembly Bill 1913 - known as the Schiff-Cardenas Crime Prevention Act of 2000 (CPA 2000), for programs and approaches that have been demonstrated to be effective in reducing delinquency, as amended by the Board.

Supervisor Maxwell moved that this item be continued to April 30, 2001.

Supervisor Maxwell, seconded by Supervisor Yee, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Yee
Noes: 1 - Sandoval
Absent: 2 - Ammiano, Newsom

Recommendations of the Finance Committee

010454 [Health Service System]
Supervisors Leno, Daly

Ordinance amending Chapter 16, Article XV, of Part I of the San Francisco Municipal Code (Administrative Code) by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.

(Fiscal impact.)

(Pursuant to Charter Section A8.423, this matter requires nine votes for passage.)

Supervisor Leno moved that this item be continued to April 30, 2001.

Supervisor Leno, seconded by Supervisor McGoldrick, moved that this Ordinance be CONTINUED ON FIRST READING. The motion carried by the following vote:

Ayes: 7 - Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Yee
Noes: 1 - Hall
Absent: 3 - Ammiano, Newsom, Sandoval

010466 [Appropriation, funding for the increase of expenditures on the Indigent Defense Program]
Ordinance appropriating \$1,200,000 from the General Fund Reserve for the projected shortfall in the Indigent Defense Program at the Trial Court for fiscal year 2000-01; providing for ratification of action previously taken. (Controller)

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin
Noes: 1 - Hall
Absent: 4 - Ammiano, Newsom, Sandoval, Yee

**010471 [Appropriation, funding the Octavia Boulevard Construction Project]
Supervisor Leno**

Ordinance appropriating \$348,196 of lease revenues from former Central Freeway right-of-way parcels currently used as parking lots to fund design, construction, development and maintenance of road improvements on Octavia Boulevard by Public Works in fiscal year 2000-01. (Controller)

(Fiscal impact.)

PASSED, ON FIRST READING by the following vote:

Ayes: 7 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin
Absent: 4 - Ammiano, Newsom, Sandoval, Yee

010546 [Prevailing Wage]

Resolution fixing the highest general prevailing rate of wages, including wages for overtime and holiday work, for various crafts and kinds of labor as paid for similar work in private employment in the City and County of San Francisco at the rates certified to the Board by the Civil Service Commission on December 4, 2000, as modified by the Garage and Parking Lot Attendant Agreement (December 1, 2000 - November 30, 2003). (City Attorney)

Resolution No. 323-01

ADOPTED by the following vote:

Ayes: 6 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick
Absent: 5 - Ammiano, Newsom, Peskin, Sandoval, Yee

Recommendations of the Housing, Transportation and Land Use Committee

**010256 [Speed Limit on Chestnut between Hyde/Leavenworth Streets]
Supervisor Newsom**

Ordinance amending the San Francisco Traffic Code, establishing a 20-MPH speed limit on Chestnut Street, between Hyde and Leavenworth Streets. (Parking and Traffic Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 7 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin
Absent: 4 - Ammiano, Newsom, Sandoval, Yee

**010487 [Double Parking]
Supervisor Newsom**

Ordinance amending Traffic Code Section 53 to extend the ordinance to October 31, 2001.

Supervisor McGoldrick moved that this item be continued to May 7, 2001.

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Ordinance be **CONTINUED ON FIRST READING**. The motion carried by the following vote:

Ayes: 7 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin
Absent: 4 - Ammiano, Newsom, Sandoval, Yee

010361 [Street Vacation Intent, Mid-Embarcadero Roadway Project]

Resolution declaring the intention of the Board of Supervisors to vacate portions of the Embarcadero and Folsom Streets between Howard and Harrison Streets in connection with the Mid-Embarcadero Roadway Project; setting the hearing date for May 14, 2001, at 3:00 P.M. for all persons interested in the proposed vacation of the street areas; and adopting findings that the vacation is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1 and the applicable Redevelopment Plan Area. (Port)

Resolution No. 290-01

ADOPTED by the following vote:

Ayes: 7 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin

Absent: 4 - Ammiano, Newsom, Sandoval, Yee

Recommendation of the Public Utilities and Deregulation Committee**010373 [Sunol Quarry]**

Supervisor Daly

Resolution urging the San Francisco Public Utilities Commission to discontinue plans for a quarry in Sunol that will result in safety and health impacts to students of Sunol Glen School and environmental desecration.

Resolution No. 341-01

ADOPTED by the following vote:

Ayes: 6 - Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin

Noes: 1 - Hall

Absent: 4 - Ammiano, Newsom, Sandoval, Yee

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole****010651 [Public Hearing]**

Hearing to examine the process of re-drawing the district lines within San Francisco.

(April 9, 2001: Pursuant to motion adopted by the Board of Supervisors.)

Presentation by Acting Director of Elections, Phillip Paris and staff member, Jennifer Novak.

HEARD AT PUBLIC HEARING.

SPECIAL ORDER 3:00 P.M.

010661 [Public Hearing - Appeal, 692-696 De Haro St. Tentative Subdivision Map]

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated March 28, 2001, affirming approval of Tentative/Parcel Map to legalize the proposed subdivision of Lot 26 in Assessor's Block 4031 into a three lot subdivision at 692-696 De Haro Street.

(Companion measure to Files 010662, 010663, 010664; Filed on April 6, 2001)

Opposed: Chris Cole, representing appellant; Doris Robertson; Peter Rudolf; Elizabeth Deutsch; Deirdre Elmansoumi; David Graves; Carolyn Blair; Barry Deutsch; Gray Brechin; Barbara Deutsch; Ernestine Weiss; Maria Gilardin; Aldo Levine; Jeri Jones; Joe; Steve Williams; Richard Millet; Babette Drefke.
Speaking in support: Kevin Dill, owner; Guy Bristow; Ron Miguel; Jules Haywood; Barbara Joe Pelayo, Department of Public Works.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)**010662 [692-696 De Haro Street Tentative Subdivision Map]**

Motion approving decision of the Director of Public Works, approving Tentative Subdivision Map to legalize the proposed subdivision creating three lots in Assessor's Block 4031, Lot 26, at 692-696 De Haro Street. (Clerk of the Board)

Supervisor Maxwell moved that this item be continued to April 30, 2001.

Supervisor Maxwell, seconded by Supervisor Peskin, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 3 - Ammiano, Newsom, Yee

010663 [692-696 De Haro Street Tentative Subdivision Map]

Motion disapproving decision of the Director of Public Works, approving Tentative Subdivision Map to legalize the proposed subdivision creating three lots in Assessor's Block 4031, Lot 26, at 692-696 De Haro Street. (Clerk of the Board)

Supervisor Maxwell moved that this item be continued to April 30, 2001.

Supervisor Maxwell, seconded by Supervisor Peskin, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 3 - Ammiano, Newsom, Yee

010664 [Findings]

Motion directing the Clerk of the Board to prepare findings relating to Tentative Subdivision Map to legalize the proposed subdivision creating three lots in Assessor's Block 4031, Lot 26, at 692-696 De Haro Street, for consideration by the Board at its next meeting.

Supervisor Maxwell moved that this item be continued to April 30, 2001.

Supervisor Maxwell, seconded by Supervisor Peskin, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 3 - Ammiano, Newsom, Yee

PUBLIC COMMENT

*Sally Ramon, supporting health benefits for transgender city employees;
James Pye, Jr., concerns regarding the incarceration of his son for eleven years;
Robert Butler, Jr., stronger laws to protect the rights of bikers;
Maria Matson, support transfer of Ferry Park;
Ernestine Weiss, support transfer of Ferry Park;
Betty McGovern, support transfer of Ferry Park;
Carolyn Blair, support transfer of Ferry Park;
male, commenting on election procedures;
Louisa Antonio, need of services for veterans
Major Deuetrio Carino, WWII veteran, support equity center;
Ernesto Cinco, WWII - POW veteran, support equity center;
Lourdes Santos Tancinco, Director, S. F. Veterans Equity Center;
Roy, supports veterans;
Eula Walters, keep Ferry Park;
Edmond, concerns regarding condition of Tenderloin area and schools;
Adrian Rameriz, urging Supervisors to fight wrong in this city.*

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

**010719 [Legislative Analyst Request]
Supervisor Daly**

Motion asking the Legislative Analyst to study and report on mortgage assistance programs used in other jurisdictions and the necessary steps and feasibility of establishing such a program in San Francisco.

APPROVED by the following vote:

Ayes: 6 - Daly, Gonzalez, Hall, Maxwell, McGoldrick, Peskin
Absent: 5 - Ammiano, Leno, Newsom, Sandoval, Yee

**010720 [Legislative Analyst Request]
Supervisor Daly**

Motion asking the Legislative Analyst to report on the number of baked goods that San Francisco's seniors would have to sell to earn \$36 million for affordable housing, if these baked goods are sold for \$0.25 each.

Failed adoption.

APPROVED by the following vote:

Ayes: 5 - Daly, Gonzalez, Hall, Maxwell, McGoldrick
Noes: 1 - Peskin
Absent: 5 - Ammiano, Leno, Newsom, Sandoval, Yee

010712 [Legislative Analyst Request]
Supervisor Sandoval

Motion asking the Legislative Analyst to provide general research and analysis on San Francisco policy requiring limousine operators and owners to adhere to laws pertaining to commercial vehicles, including but not limited to overnight parking in residential areas; and to provide comparative information on other cities' laws and policies regarding limousines as commercial vehicles.

APPROVED by the following vote:

Ayes: 6 - Daly, Gonzalez, Hall, Maxwell, McGoldrick, Peskin

Absent: 5 - Ammiano, Leno, Newsom, Sandoval, Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

010685 [Carbon dioxide emissions]
Supervisors Gonzalez, Daly, Hall, Leno, Peskin

Resolution urging the governor and state legislature of California to direct state agencies and departments to implement a program to reduce carbon dioxide emissions, in recognition of the tremendous environmental, economic, and public health threats posed by global warming.

Supervisors Daly, Hall, Leno, Peskin requested to be added as co-sponsors.

Resolution No. 327-01

ADOPTED

010687 [AB 1649, Fair Employment and Housing Act]
Supervisors Leno, McGoldrick, Gonzalez, Daly, Peskin

Resolution urging the Assembly to pass AB 1649 authored by Jackie Goldberg to include "gender" in the Fair Employment and Housing Act.

Supervisors Daly, Peskin requested to be added as co-sponsors.

Resolution No. 328-01

ADOPTED

010688 [SB 308, Child Care for Eligible Children Act]
Supervisors Leno, Newsom, McGoldrick, Maxwell, Peskin

Resolution urging the California State Legislature to adopt and Governor Davis to sign SB 308 the Child Care for Eligible Children Act.

Supervisor Peskin requested to be added as co-sponsor.

Resolution No. 329-01

ADOPTED

- 010689 [Inflammatory use of negative Chinese stereotypes]
Supervisors McGoldrick, Yee, Leno, Hall, Peskin

Resolution condemning the inflammatory use of negative Chinese stereotypes by news media and calling on news media to institute measure to improve relations with Chinese-Americans.

Supervisors Hall, Peskin requested to be added as co-sponsors.

Resolution No. 330-01

ADOPTED

- 010692 [Development Fees]
Supervisors Peskin, Daly, Gonzalez, Leno

Resolution urging the Planning Commission to certify existing studies calculating the Average Area Purchase Price commissioned by the Mayor's Office of Housing from 1997 through 2001, adjust the in lieu development fees during this time period accordingly, and collect from developers the sum of adjusted in lieu development fees to the maximum extent legally permissible.

Supervisors Gonzalez, Leno requested to be added as co-sponsors.

Resolution No. 342-01

ADOPTED

- 010693 [H.R. 1487, tax relief for high tech workers]
Supervisors Daly, Leno

Resolution supporting H.R. 1487, which would amend the Internal Revenue Code of 1986 to repeal the alternative minimum tax treatment of incentive stock options, thereby changing the taxable event from the exercise of stock to the sale of stock.

Supervisor Leno requested to be added as co-sponsor.

Resolution No. 331-01

ADOPTED

- 010694 [Holocaust-era lawsuits]
Supervisors Daly, Leno, Peskin

Resolution urging the United States Department of Justice, Eastman Kodak Company, Standard Oil Corporation, International Telephone and Telegraph Company, International Business Machines, and Ford Motor Corporation to release documents related to Holocaust-era lawsuits.

Resolution No. 332-01

ADOPTED

- 010695 [Grant, Public Utilities]
Supervisors McGoldrick, Gonzalez

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of \$75,840 from the California Energy Commission to reduce peak load at Harry Tracy Water Treatment Plant.

Supervisor Gonzalez requested to be added as co-sponsor.

Resolution No. 333-01

ADOPTED

010696 [Commendation]
Supervisors Hall, Yee

Resolution commending the Institute for Student Achievement for working in partnership with schools and school districts, in particular McAteer High School, to enable at-risk middle and high school students to stay in school, graduate, and go on to college or other post-secondary education, job training, or work.

Resolution No. 334-01
ADOPTED

010697 [Proclamation]
Supervisors Leno, McGoldrick, Maxwell, Newsom, Daly, Hall

Resolution declaring May 13 through 19, 2001, Juror Appreciation Week.

Supervisors Daly, Hall requested to be added as co-sponsors.

Resolution No. 335-01
ADOPTED

010698 [Proclamation]
Supervisors Newsom, Hall

Resolution ratifying that the Board of Supervisors declares the period between May 13th and June 17th, 2001 as "Elder Abuse Awareness Month" in the City and County of San Francisco.

Supervisor Hall requested to be added as co-sponsor.

Resolution No. 336-01
ADOPTED

010702 [Commendation]
Supervisors Newsom, Sandoval, Daly, Peskin

Resolution commending the significant efforts of the San Francisco Veterans Equity Center (SFVEC), for providing social, educational, legal, recreational and other services to over 800 Filipino veterans and urging the Mayor to allocate \$250,000 an annual budget line item beginning with the Fiscal Year 2001-02 to support the continued operations of the Filipino Veterans Equity Center.

Supervisors Daly, Peskin requested to be added as co-sponsors.

Resolution No. 337-01
ADOPTED

010703 [Commendation]
Supervisors Sandoval, Daly

Resolution commending the organizations and individuals who spoke up for the youth of San Francisco on 'Speak Up for Kids Day' at City Hall.

Supervisor Daly requested to be added as co-sponsor.

Resolution No. 338-01
ADOPTED

010700 [Special off site meetings of the Finance Committee]

Motion setting special off site meetings of the Finance Committee for the purpose of receiving community input on the City and County of San Francisco's 2001-2002 budget. (Clerk of the Board)

(Saturday, May 12, 2001, 10:00 a.m., James Denman Middle School Auditorium, 241 Oneida Street;
Wednesday, May 16, 2001, 7:00 p.m., Stonestown YMCA, Lane Senior Annex
3150 20th Avenue;

Thursday, May 17, 2001, 7 p.m., Everett Middle School, 450 Church Street;

Saturday, May 19, 2001, 12:00 p.m., Southeast Community Facility, 1800 Oakdale Avenue;

Wednesday, May 23, 2001, 7 p.m., George Moscone Elementary School, 2576 Harrison Street;

Wednesday, May 30, 2001, 5:30 p.m., Tenderloin Police Station, 301 Eddy Street;

Thursday, May 31, 2001, 6:30 p.m., Newcomer High School, 2340 Jackson Street.)

Motion No. M01-48

APPROVED

010727 [Final Map for a 12 Unit Live/Work Condominium Project]

Motion approving Final Map of 370 7th Street, a Live/Work Condominium Project, being a subdivision of Lot 198, Assessor's Block No. 3755, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,903.)

Motion No. M01-50

APPROVED

010721 [Needle Exchange Emergency]

Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M01-49

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 6 - Daly, Gonzalez, Hall, Maxwell, McGoldrick, Peskin

Absent: 5 - Ammiano, Leno, Newsom, Sandoval, Yee

Severed From For Adoption Without Committee Reference Agenda**010683 [Business and Payroll Tax]**

Supervisor Gonzalez

Resolution declaring the Board of Supervisors' intent that if the courts strike down the "alternative tax" aspect of the City's business tax, only the payroll expense measure of the tax should be applied, and relief should be limited to granting claimants a refund of the difference between any amount actually paid under the gross receipts measure of the business tax and what they would have paid under the payroll expense measure.

Supervisor Daly requested this item be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Peskin, seconded by Supervisor Daly, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 6 - Daly, Gonzalez, Hall, Maxwell, McGoldrick, Peskin

Absent: 5 - Ammiano, Leno, Newsom, Sandoval, Yee

010684 [Business Tax Litigation Funds]

Supervisors Leno, Maxwell

Resolution urging, in the case of settlement, the businesses included in the proposed settlement of the "Business Tax Litigation" to return settlement monies to the San Francisco General Fund for discretionary spending, and that the City Controller track these funds which are returned to the General Fund, reporting to the Finance Committee on a regular basis.

Supervisor Daly requested this item be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisors Daly and Maxwell requested that this matter be sent to committee.

REFERRED to the Economic Vitality, Small Business and Social Policy Committee.

010686 [Lease amendment, Theatre Bay Area]

Supervisor Leno

Resolution approving and authorizing a First Amendment to Lease with Theatre Bay Area, a California nonprofit public benefit corporation, related to certain ticket kiosk premises located on Union Square, San Francisco, allowing for the lessee to vacate the original ticket kiosk premises, relocate temporarily to other premises and consent to the demolition of the original kiosk improvements; and authorizing and ratifying the execution and delivery by the General Manager of the Recreation and Park Department of the First Amendment and any related documents, and the taking of such actions by said General Manager as may be necessary in furtherance of this resolution.

Supervisor Peskin requested this item be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor McGoldrick requested that this matter be referred to committee.

REFERRED to the Finance Committee.

010690 [Electric Service review]

Supervisor Newsom

Resolution instructing the Public Utilities Commission, the Board of Supervisors Budget Analyst and the Controller's Office to assist the Board of Supervisors in determining the most effective means of providing electric service to the people of San Francisco by developing the following: 1) An analysis of the current book value of all assets of the Pacific Gas & Electric Company (PG&E); and 2) The creation of a task force to determine what are the next steps necessary in order to acquire PG&E assets.

Supervisor Hall requested this item be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Hall requested that this matter be referred to committee.

REFERRED to the Public Utilities and Deregulation Committee.

010713 [Pacific Gas & Electric Company (PG&E)]
Supervisor Newsom

Resolution instructing the Board of Supervisors Budget Analyst and the Controller's Office to assist the Board of Supervisors in determining the most effective means of providing electric service to the people of San Francisco by developing the following: 1) An analysis of the current book value of all assets of the Pacific Gas & Electric Company (PG&E); and 2) The creation of a task force to determine what are the next steps necessary in order to acquire PG&E assets.

Supervisor Daly requested this item be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Daly requested that this item be referred to committee.

REFERRED to the Public Utilities and Deregulation Committee.

010691 [Analysis of electric service options]
Supervisors Newsom, Hall

Resolution requesting the San Francisco Local Agency Formation Commission to assist the Board of Supervisors with a full analysis of public power options and conservation/energy efficiency measures so that the Board may use this information to determine the best way of providing reliable, cost effective, environmentally responsible electric service to San Francisco.

Supervisor McGoldrick requested this item be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor McGoldrick requested this item be referred to committee.

REFERRED to the Public Utilities and Deregulation Committee.

010704 [Commendation]
Supervisor Yee

Resolution commending Jacques Herzog and Pierre de Meuron for being awarded the 2001 Pritzker Architecture Prize.

Supervisor McGoldrick requested this item be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Resolution No. 339-01

ADOPTED by the following vote:

Ayes: 6 - Daly, Gonzalez, Hall, Maxwell, McGoldrick, Peskin

Absent: 5 - Ammiano, Leno, Newsom, Sandoval, Yee

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances**010749 [Voter Information Pamphlet]
Supervisor Yee**

Ordinance amending Section 500 of the Elections Code to include disclaimer in Voter Information Pamphlet stating that the submission of a measure to the voters by the Board of Supervisors or by four or more members of the Board of Supervisors does not necessarily indicate that the Board of Supervisors or any member of the Board of Supervisors endorses the measure.

4/23/01, RECEIVED AND ASSIGNED to Rules Committee.

Resolutions**010735 [Unsanitary Conditions in School Restrooms]
Supervisor Leno**

Resolution urging the San Francisco Unified School District to improve the unsanitary conditions of restrooms in SFUSD high schools and middle schools.

4/23/01, RECEIVED AND ASSIGNED to City and School District Committee.

**010736 [Rainbow Banners]
Supervisor Leno**

Resolution accepting a donation of rainbow banners to the City of San Francisco from the Merchants of Upper Market and Castro (MUMC).

4/23/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**010737 [Esprit Park]
Supervisors Maxwell, Ammiano**

Resolution authorizing the acceptance of Esprit Park under the jurisdiction of the Recreation and Park Department pursuant to an owner participation agreement in the Redevelopment Agency of the City and County of San Francisco and Esprit De Corp.

(Fiscal impact.)

4/23/01, RECEIVED AND ASSIGNED to Finance Committee.

**010738 [Lease of Star Hotel]
Supervisors Ammiano, Peskin, Newsom**

Resolution authorizing and approving the lease by and between the City and County of San Francisco, for the Department of Public Health, as Tenant, and Sonali Holdings, LLC, as Landlord, for the Star Hotel located at 2176-2178 Mission Street.

(Fiscal impact; District 9.)

4/23/01, RECEIVED AND ASSIGNED to Finance Committee.

**010739 [Long Term Power Purchase]
Mayor**

Resolution approving a contract for the purchase of power from Calpine Energy Services for a period of five years beginning July 1, 2001 and ending June 30, 2006 at an average price not to exceed \$86.875 per Megawatt hour (MWH).

(Fiscal impact.)

4/23/01, RECEIVED AND ASSIGNED to Finance Committee.

**010740 [Outside Counsel, Department of Elections]
Supervisor Gonzalez**

Resolution urging the San Francisco City Attorney to acknowledge a possible conflict of interest in her position as legal counsel for the Department of Elections and as a candidate for re-election, and to appoint outside counsel for the purpose of advising the Department of Elections on all matters related to the upcoming November 6, 2001 election.

4/23/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010741 [Commendation]
Supervisors Ammiano, Newsom**

Resolution in special recognition of The California Transcribers and Educators of the Visually Handicapped.

4/23/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010742 [Commendation]
Supervisors Hall, Newsom**

Resolution commending the Lowell Sports Foundation for striving to fulfill its mission of identifying outside funding sources and opportunities in order to build a substantial endowment in support of after school athletic programs at Lowell High School.

4/23/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010743 [Commendation]
Supervisors Leno, Sandoval**

Resolution urging the Mayor, city departments and citizens of San Francisco to recognize the numerous positive contributions youth make to our city, state and nation.

4/23/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010744 [Commendation]
Supervisor Leno**

Resolution commending the sponsors and honorees of the 11th Annual San Francisco Bay Area Mural Awareness Month.

4/23/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010745 [Extension of Planning Commission Review Period]
Supervisor Leno**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code to adopt an inclusionary affordable housing program.

4/23/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010746 [Commendation]
Supervisors Peskin, Newsom**

Resolution commending the Coevolution Institute for its promising concept of a Butterfly Discovery Park and its continued efforts to locate this venue in San Francisco.

4/23/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010747 [Commendation]
Supervisor Daly**

Resolution commending Oscar Olivera and La Coordinadora for their successful efforts to combat water privatization in Bolivia.

4/23/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**010748 [Rolling Blackout Preparation]
Supervisor Hall**

Hearing to consider (1) whether or not the City effectively handled the blackouts it experienced earlier this year; (2) what lessons did the City learn from those blackouts; (3) what is the Department of Parking and Traffic doing to ensure smooth and safe traffic flow if and when traffic lights go out this summer; (4) what is the Department of the Environment doing to encourage conservation now before these blackouts occur; and, (5) what can the Board do now to ensure that there will be no breakdown in the most important of City services.

4/23/01, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

**010750 [Department of Elections Budget]
Supervisor Leno**

Hearing to consider policy recommendations from the Department of Elections on ways to reduce the size of its budget, including consideration of paid ballot arguments, instant runoff elections, the size of precincts and dedicated space for operations.

4/23/01, RECEIVED AND ASSIGNED to Finance Committee.

**010751 [Quality of Life Enforcement Program]
Supervisor McGoldrick**

Hearing on the status of the Quality of Life Enforcement Program, formerly known as the Matrix Program.

4/23/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010752 [Planning Code Residential Guidelines]
Supervisor McGoldrick**

Hearing on the implementation by the Planning Department of the Residential Guidelines in Sec. 311 of the Planning Code.

4/23/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010753 [Bankruptcy Proceedings, PG&E]
Supervisors Gonzalez, Daly, Ammiano**

Hearing to review bankruptcy proceedings involving PG&E.

4/23/01, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

**010754 [Non-profit Arts Organizations - Loan Funds]
Supervisor Ammiano**

Hearing to consider a potential City application for State of California loan funds for capital and facility needs for non-profit arts organizations.

4/23/01, RECEIVED AND ASSIGNED to Rules Committee.

**010755 [Pedestrian Safety and Street Resurfacing]
Supervisor Ammiano**

Hearing to consider the City's street resurfacing backlog, its sidewalk repair backlog, its ramp backlog, pedestrian safety planning and capital needs including the City's 100 most dangerous intersections, planned bike path improvements, and current and projected funding sources to meet these needs, including potential bond issue.

4/23/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

010756 [Youth Guidance Center and Laguna Honda Hospital Construction]
Supervisor Hall

Hearing to consider the impact of construction at both the Youth Guidance Center and the Laguna Honda Hospital on the surrounding neighborhoods.

4/23/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

Motions

010767 [Special Off Site Meetings of the Finance Committee on 5/19/01 and 5/22/01]

Motion setting special off site meetings of the Finance Committee for the purpose of receiving community input on the City and County of San Francisco's 2001-2002 Budget. (Clerk of the Board)

(Saturday, May 19, 2001, 10:00 a.m., Richmond Recreation Center, 251 18th Avenue;

Tuesday, May 22, 2001, 6:30 p.m., Sunset Recreation Center, 2001 Lawton Street.)

4/23/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. Pursuant to Motion 01-44, File 010608.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

010675 [Parking Regulations on Turk Street, between Gough and Laguna Streets]

Ordinance amending Section 32.6.24 of the San Francisco Traffic Code, regarding parking regulations on Turk Street, between Gough and Laguna Streets. (Parking and Traffic Department)

(DPT Order No. 2206)

4/16/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

010711 [Appropriation, funding the Sheriff's Department shortfalls in salary, overtime, holiday pay and workers compensation]

Ordinance appropriating \$2,971,186 from the General Fund Reserve to cover the shortfalls on salaries, overtime, holiday pay and workers compensation at the Sheriff's Department for fiscal year 2000-01. (Controller)

(Fiscal impact.)

(Supervisor Peskin dissenting in Committee)

4/16/01, RECEIVED AND ASSIGNED to Finance Committee.

PROPOSED RESOLUTIONS

010672 [STOP Intersections]
Supervisor Newsom

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

20th and Minnesota Streets, northeast corner, stopping westbound 20th Street (makes this a one-way STOP)
Bacon and Princeton Streets (east), northeast corner, stopping westbound Bacon Street (makes this T-intersection a two-way STOP)

Bacon and Princeton Streets (west), southwest corner, stopping eastbound Bacon Street (makes this T-intersection a two-way STOP)

Pierce and Sacramento Streets, northeast and southwest corners, stopping Sacramento Street (makes this an all-way STOP) (Parking and Traffic Department)

(DPT Order No. 2204.)

4/16/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

010673 [Parking Regulations at Various Locations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "L" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - RESCIND

RESIDENTIAL PERMIT PARKING AREA "BB" (2-HOUR TIME LIMIT, 8 AM - 8 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Annapolis Terrace, both sides, between Golden Gate Avenue and Turk Street (unit block)

Chabot Terrace, both sides, between Golden Gate Avenue and Turk Street (unit block)

Golden Gate Avenue, north side, between Masonic and Parker Avenues (2200 through 2500 blocks)

Kittredge Terrace, both sides, between Golden Gate Avenue and Turk Street (unit block)

Masonic Avenue, west side, between Golden Gate Avenue and Turk Street (300 block)

Parker Avenue, east side, between Golden Gate Avenue and Turk Street (500 block)

Roselyn Terrace, both sides, between Golden Gate Avenue and Turk Street (unit block)

Tamalpais Terrace, both sides, between Golden Gate Avenue and Turk Street (unit block)

Temescal Terrace, both sides, between Golden Gate Avenue and Turk Street (unit block)

Turk Street, south side, between Masonic and Parker Avenues (2300 through 2800 blocks)

RESIDENTIAL PERMIT PARKING AREA "U" - ESTABLISH

920 Harrison Street, north side, between 5th and 6th Streets (adds specified address only)

RESIDENTIAL PERMIT PARKING AREA "X" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - RESCIND

Pennsylvania Street, both sides, between 18th and 19th Streets (300 block)

DIAGONAL (60-DEGREE ANGLE) PARKING - ESTABLISH

25th Street, south side, from 45 feet to 321 feet east of Illinois Street (276-foot zone)

25th Street, south side, from 580 feet to 792 feet east of Illinois Street (212-foot zone)

PERPENDICULAR (90-DEGREE ANGLE) PARKING - RESCIND

Hollister Avenue, north side, from 3rd Street to 56 feet easterly (56-foot zone) (Parking and Traffic Department)

(DPT Order No. 2204.)

4/16/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

010674 [Traffic Regulations on Various Streets]

Resolution enacting and rescinding traffic regulations on various streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

25th Street, both sides, between 3rd and Illinois Streets

25th Street, south side, from Illinois Street to 41 feet easterly (41-foot zone, along sidewalk bulb)

Cesar Chavez Street, north side, between 3rd and Illinois Streets

Cesar Chavez Street, north side, between Illinois and Michigan Streets

Cesar Chavez Street, north side, from Illinois Street to 37 feet easterly (37-foot zone, along sidewalk bulb)

Cesar Chavez Street, south side, from Illinois Street to 105 feet westerly (105-foot zone)

Cesar Chavez Street, south side, from Illinois Street to 32 feet easterly (32-foot zone, along sidewalk bulb)

Illinois Street, both sides, from Cesar Chavez Street to 53 feet northerly (53-foot zone, along sidewalk bulb)

Illinois Street, east side, from 25th Street to 64 feet southerly (64-foot zone, along sidewalk bulb)

Illinois Street, west side, from 25th Street to 23 feet northerly (23-foot zone, along sidewalk bulb)

Illinois Street, west side, from 25th Street to 63 feet southerly (63-foot zone, along sidewalk bulb)

NO TURN ON RED - ESTABLISH

Lombard Street, eastbound, at The Embarcadero

ONE-WAY STREET - ESTABLISH

20th Street, westbound, between Minnesota and Indiana Streets (Parking and Traffic Department)

(DPT Order No. 2204.)

4/16/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

010723 [Branch Library General Obligation Bond Issuance]

Resolution providing for the issuance of not to exceed \$105,865,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Branch Library Facilities Improvement Bonds, 2000); authorizing the execution, authentication and registration of said Bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said Bonds; providing for the establishment of accounts related thereto; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds. (Mayor)

4/18/01, RECEIVED AND ASSIGNED to Finance Committee.

010724 [Branch Library General Obligation Bond Sale]

Resolution authorizing and directing the sale of not to exceed \$17,665,000 City and County of San Francisco General Obligation Bonds (Branch Library Facilities Improvement Bonds, 2000) Series 2001E; prescribing the form and terms of said Bonds, authorizing the execution, authentication and registration of said Bonds; providing for the appointment of depositories and other agents for said Bonds; providing for the establishment of accounts related thereto; approving the forms of Official Notice of Sale and Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form and execution of the official statement relating thereto; approving the form of the Continuing Disclosure Certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds. (Mayor)

4/18/01, RECEIVED AND ASSIGNED to Finance Committee.

010725 [Federal grant for seven (7) Municipal Railway capital projects and activities]

Resolution authorizing the Municipal Transportation Agency Board to accept and expend \$14,392,697 of federal formula and earmarked Congestion Mitigation and Air Quality Program (CMAQ), Surface Transportation Program (STP) capital assistance for seven Municipal Railway capital projects and activities, and including \$1,327,174 for administrative overhead costs. (Municipal Transportation Agency)
4/18/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee. May 15, 2001: Municipal Railway/Municipal Transportation Agency submitted a replacement resolution to correct format errors, at the request of the Clerk's Office.

010726 [Bicycle Plan]

Resolution readopting the San Francisco Bicycle Plan. (Parking and Traffic Department)

(San Francisco Bicycle Plan dated March 10, 1997 prepared by Wilbur Smith Associates for Department of Parking and Traffic.)

4/18/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

Requests Granted

From: Supervisor Peskin

To: Director, Department of Human Resources

Requesting/Inquiring: To provide a written update on all requests from City Departments to reclassify Special Assistant positions to other classifications during the past year (from April 2000 to April 2001), as well as bi-monthly reports on such requested reclassifications for the remainder of this calendar year.

From: Supervisor Hall

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To report on the feasibility of "No Parking" zone to be re-established along the perimeter of the Crespi Dr. greenbelt from Cardenas to Juan Bautista Circle.

From: Supervisor Leno

To: Director, Parking and Traffic

Requesting/Inquiring: To report on the cost of allowing electricity-powered cars to park for free at all paid parking spaces in San Francisco and would it be feasible to create such an allowance.

From: Supervisor Maxwell

To: Laurence Kornfield, Director, San Francisco Department of Building Inspection

To: Gary Massetani, San Francisco Fire Marshall

Requesting/Inquiring: Director, San Francisco Department of Building Inspection and San Francisco Fire Marshall, to report on the effectiveness and possible application of fire resistant intumescent paint.

In particular, please report on:

- 1. Results from tests conducted by the department in response to a request by Supervisor Becerril on November 22, 1999*
- 2. Ways in which the paint can be used to supplement existing fire safety standards*
- 3. Whether the paint should be used by the City and County of San Francisco*
- 4. Whether the paint should be incorporated into City Building and Fire codes*
- 5. Proposed paint standards*

Due: Monday, May 14, 2001.

From: Supervisor Gonzalez

To: City Attorney

Requesting/Inquiring: To provide members of the Board of Supervisors with weekly updates on the bankruptcy proceedings involving PG&E.

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Mr. Peter Bellinger (Supervisor Ammiano)

Mr. Kwok Kwang Lam (Supervisor Yee)

Ms. Woon Yung Chan Jew (Supervisor Yee)

Ms. Moese Curry (Supervisor Maxwell)

Mr. Gary Cohen (Supervisor Daly)

ADJOURNMENT

There being no further business, the Board at the hour of 7:49 p.m adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 4, 2001.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689*

MEETING MINUTES

DOCUMENTS DEPT

Monday, April 30, 2001 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

OCT - 1 2001

SAN FRANCISCO
PUBLIC LIBRARY

TOM AMMIANO, PRESIDENT

**CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE MCGOLDRICK, GAVIN NEWSOM
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE**

Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Audit, Labor and Government Efficiency Committee

Supervisors Newsom, Daly, McGoldrick

City and School District Committee

Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynns, Commissioner Mar

Economic Vitality, Small Business and Social Policy Committee

Supervisors Sandoval, Newsom, Maxwell

Finance Committee

Supervisors Leno, Peskin, Gonzalez

Housing, Transportation and Land Use Committee

Supervisors McGoldrick, Daly, Peskin

Neighborhood Services and Parks Committee

Supervisors Yee, Hall, Sandoval

Public Health and Environment Committee

Supervisors Maxwell, Yee, Leno

Public Utilities and Deregulation Committee

Supervisors Daly, Gonzalez, Ammiano

Rules Committee

Supervisors Gonzalez, Hall, Ammiano

Meeting Days

2nd & 4th Tuesday
1:00 PM

Call of the Chair

1st & 3rd Tuesday
10:00 AM

Wednesday
10:00 AM

2nd & 4th Thursday
10:00 AM

1st & 3rd Tuesday
1:00 PM

2nd & 4th Tuesday
10:00 AM

Call of the Chair

1st & 3rd Thursday
1:00 PM

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:07 p.m. On call of the roll, Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee were noted present.

Quorum present.

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled or considered differently.

Supervisor Leno indicated the matter relating to Health Service System, File 010454. (See infra.)

President Ammiano indicated the matter relating to labor negotiations will be considered at the end of the meeting, File 010768. (See infra.)

Clerk of the Board indicated the matter relating to special off site meetings of the Finance Committee needs correction, File 010767. (See infra.)

CONSENT AGENDA

Recommendations of the Audit, Labor and Government Efficiency Committee

010552 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Yvette Augmon, et al. against the City and County of San Francisco for \$103,000.00; the lawsuit was filed on October 29, 1999 in United States District Court, Case No. C99-4779 MMC; entitled Yvette Augmon et al. v. City and County of San Francisco. (City Attorney)

PASSED, ON FIRST READING

010611 [Settlement of Lawsuit]

Ordinance authorizing settlement of all claims against the City and County of San Francisco in a lawsuit filed by Lupe Cortez for \$30,000. The lawsuit was filed on November 19, 1999, in Superior Court, Case No. 308-016, entitled Lupe Cortez, et al., v. City and County of San Francisco, et al.; other material terms of said settlement are that defendants Hawk Ling Lou and the Ketty F. Lou Revocable Trust will settle plaintiff's claims against them in this matter also for \$30,000. (City Attorney)

PASSED, ON FIRST READING

010612 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Carolyn L. Stowers against the City and County of San Francisco for \$77,000; the lawsuit was filed on April 14, 1999 in the United States District Court, Northern District of California; Case No. C99-1857-VRW; entitled Carolyn L. Stowers, et al.; v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

Recommendation of the Finance Committee**010471 [Appropriation, funding the Octavia Boulevard Construction Project]
Supervisor Leno**

Ordinance appropriating \$348,196 of lease revenues from former Central Freeway right-of-way parcels currently used as parking lots to fund design, construction, development and maintenance of road improvements on Octavia Boulevard by Public Works in fiscal year 2000-01. (Controller)

(Fiscal impact.)

Ordinance No. 70-01

FINALLY PASSED

Recommendation of the Housing, Transportation and Land Use Committee**010256 [Speed Limit on Chestnut between Hyde/Leavenworth Streets]
Supervisor Newsom**

Ordinance amending the San Francisco Traffic Code, establishing a 20-MPH speed limit on Chestnut Street, between Hyde and Leavenworth Streets. (Parking and Traffic Department)

Ordinance No. 68-01

FINALLY PASSED

Recommendations of the Rules Committee**010404 [Appointment]**

Resolution appointing Vanessa Padilla, term ending October 1, 2001, and Lavita Daniel, term ending October 1, 2003, to the Drug Abuse Advisory Board; residency requirement waived.

Vanessa Padilla (residency requirement waived), succeeding Irene Sung, Seat 11, must represent the public at large, for the unexpired portion of a three-year term ending October 1, 2001; Lavita Daniel, succeeding Robert Elliott, resigned, seat 12, must represent the public at large or a service provider, unexpired portion of a three-year term ending October 1, 2003.

Resolution No. 347-01

ADOPTED

010522 [Appointment]

Resolution appointing Dennis Yun, term expiring January 31, 2003, and Alex Kitzes, term ending January 31, 2004, to the Mental Health Board.

Dennis Yun, succeeding Darwin Dias, term expired, Seat 12, must be a consumer, a new three-year term expiring January 31, 2003;

Alex Kitzes, succeeding Toye Moses, term expired, Seat 15, must be a health professional, a new three-year term expiring January 31, 2004.

Resolution No. 348-01

ADOPTED

010655 [Appointment]

Resolution appointing Victor Veysey and Casey Allen, terms ending December 31, 2003, to the Bicycle Advisory Committee.

Victor Veysey, succeeding himself, term expired, Seat 1, must represent the bicycle industry, a new three-year term ending December 31, 2003;

Casey Allen, succeeding himself, term expired, Seat 2, must represent an environmental organization, a new three-year term ending December 31, 2003.

Resolution No. 349-01

ADOPTED

010656 [Appointment]

Resolution appointing Elissa Eckman, June Wilson, Sherri Franklin, and Cheryl Bentley, terms ending April 30, 2003, to the Animal Control and Welfare Commission.

Elissa Eckman, succeeding Chin Chi, term expired, Seat 3, must represent the public at large, a new two-year term expiring April 30, 2003;

June Wilson, succeeding Elissa Eckman, term expired, Seat 4, must represent the public at large, a new two-year term expiring April 30, 2003;

Sherri Franklin, succeeding Cheryl Bentley, term expired, Seat 5, must represent the public at large, a new two-year term expiring April 30, 2003;

Cheryl Bentley, succeeding Richard Schulke, term expired, Seat 6, must represent the public at large, a new two-year term expiring April 30, 2003.

Resolution No. 350-01

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

010662 [692-696 De Haro Street Tentative Subdivision Map]

Motion approving decision of the Director of Public Works, approving Tentative Subdivision Map to legalize the proposed subdivision creating three lots in Assessor's Block 4031, Lot 26, at 692-696 De Haro Street. (Clerk of the Board)

Supervisor Leno, seconded by Supervisor Daly, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

010663 [692-696 De Haro Street Tentative Subdivision Map]

Motion disapproving decision of the Director of Public Works, approving Tentative Subdivision Map to legalize the proposed subdivision creating three lots in Assessor's Block 4031, Lot 26, at 692-696 De Haro Street. (Clerk of the Board)

Motion No. M01-51

Supervisor Peskin, seconded by Supervisor McGoldrick, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 3 - Hall, Newsom, Yee

010664 [Findings]

Motion directing the Clerk of the Board to prepare findings relating to Tentative Subdivision Map to legalize the proposed subdivision creating three lots in Assessor's Block 4031, Lot 26, at 692-696 De Haro Street, for consideration by the Board at its next meeting.

Motion No. M01-52

APPROVED by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 3 - Hall, Newsom, Yee

Recommendation of the Economic Vitality, Small Business and Social Policy Committee

010539 [State Grant]

Mayor, Supervisors Maxwell, Sandoval

Resolution authorizing the Mayor's Criminal Justice Council (MCJC) to accept and expend funds in the amount of \$2,831,068 from the State Board of Corrections, from funds made available under Assembly Bill 1913 - known as the Schiff-Cardenas Crime Prevention Act of 2000 (CPA 2000), for programs and approaches that have been demonstrated to be effective in reducing delinquency, as amended by the Board.

Resolution No. 340-01

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval

Noes: 2 - Maxwell, Yee

Recommendations of the Finance Committee

010466 [Appropriation, funding for the increase of expenditures on the Indigent Defense Program]

Ordinance appropriating \$1,200,000 from the General Fund Reserve for the projected shortfall in the Indigent Defense Program at the Trial Court for fiscal year 2000-01; providing for ratification of action previously taken. (Controller)

(Fiscal impact.)

Ordinance No. 69-01

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Noes: 1 - Hall

Appointment of President Pro Tempore

At the request of the President, Supervisor Daly assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

010454 [Health Service System]
Supervisors Leno, Daly

Ordinance amending Chapter 16, Article XV, of Part I of the San Francisco Municipal Code (Administrative Code) by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.

(Fiscal impact.)

(Pursuant to Charter Section A8.423, this matter requires nine votes for passage.)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Noes: 2 - Hall, Yee

NEW BUSINESS

Recommendations of the Audit, Labor and Government Efficiency Committee

010556 [MOU Amendment No. 2 - Carpenters, Local 22]
Supervisor Newsom

Ordinance implementing Amendment No. 2 to the 1997-2001 Memorandum of Understanding between the Carpenters, Local 22 and the City and County of San Francisco by adding a new section to Article III.E. Additional Compensation which provides for the pass-through of State of California funds to certain represented classes working at Skilled Nursing Facilities. (Human Resources Department)

Supervisor Newsom requested to be added as sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee

Absent: 1 - Sandoval

010557 [MOU Amendment No. 2 - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]
Supervisor Newsom

Ordinance implementing Amendment No. 2 to the 1997-2001 Memorandum of Understanding between the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local No. 38 and the City and County of San Francisco by adding a new section to Article III.E. Additional Compensation which provides for the pass-through of State of California funds to certain represented classes working at Skilled Nursing Facilities. (Human Resources Department)

Supervisor Newsom requested to be added as sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee

Absent: 1 - Sandoval

**010558 [MOU Amendment No. 5 - Laborers International Union, Local 261]
Supervisor Newsom**

Ordinance implementing Amendment No. 5 to the 1997-2001 Memorandum of Understanding between the Laborers International Union, Local 261 and the City and County of San Francisco by adding a new section to Article III.E. Additional Compensation which provides for the pass-through of State of California funds to certain represented classes working at Skilled Nursing Facilities. (Human Resources Department)

Supervisor Newsom requested to be added as sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

**010559 [MOU Amendment No. 2 - International Union of Operating Engineers Stationary Engineers, Local 39]
Supervisor Newsom**

Ordinance implementing Amendment No. 2 to the 1998-2001 Memorandum of Understanding between the International Union of Operating Engineers Stationary Engineers, Local 39 and the City and County of San Francisco by adding a new section to Article III.C. Special Pay Provisions which provides for the pass-through of State of California funds to certain represented classes working at Skilled Nursing Facilities. (Human Resources Department)

Supervisor Newsom requested to be added as sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

**010560 [MOU Amendment No. 1 - Painters Union District Council #8, Local 4]
Supervisor Newsom**

Ordinance implementing Amendment No. 1 to the 1997-2001 Memorandum of Understanding between the Painters Union District Council #8 for Local 4 and the City and County of San Francisco by adding a new section to Article III.E. Additional Compensation which provides for the pass-through of State of California funds to certain represented classes working at Skilled Nursing Facilities. (Human Resources Department)

Supervisor Newsom requested to be added as sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

**010562 [MOU Amendment No. 4 - International Brotherhood of Electrical Workers, Local 6]
Supervisor Newsom**

Ordinance implementing Amendment No. 4 to the 1997-2001 Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local 6 and the City and County of San Francisco by adding a new section to Article III.E. Additional Compensation which provides for the pass-through of State of California funds to certain represented classes working at Skilled Nursing Facilities. (Human Resources Department)

Supervisor Newsom requested to be added as sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

**010565 [MOU, Bricklayers, Local 3 and Hod Carriers, Local 36]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the Bricklayers, Stone Masons, Terrazo Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local 3 and Hod Carriers, Local 36 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee

Absent: 1 - Sandoval

**010566 [MOU, Building Inspectors (Classes 6331 and 6333)]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the Building Inspectors' Association and the City and County of San Francisco (for Class 6331, Building Inspector and Class 6333, Senior Building Inspector) to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee

Absent: 1 - Sandoval

**010567 [MOU, Building Inspector (Class 6334)]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the Building Inspectors' Association and the City and County of San Francisco (for Class 6334, Chief Building Inspector) to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee

Absent: 1 - Sandoval

**010568 [MOU, Carpenters, Local 22]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the Carpenters, Local 22 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

**010569 [MOU, Cement Masons, Local 580]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the Cement Masons, Local 580 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

**010571 [MOU, Glaziers, Local 718]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the Glaziers, Architectural Metal and Glass Workers, Local 718 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

**010572 [MOU, International Alliance of Theatrical Stage Employees, Local 16]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the International Alliance of Theatrical Stage Employees, Local 16 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

**010573 [MOU, Institutional Police Officers' Association]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the San Francisco Institutional Police Officers' Association and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

**010574 [MOU, Ironworkers, Local 377]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the International Association of Bridge, Structural Ornamental, Reinforced Iron Workers, Riggers and Machinery Movers, Local 377 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

**010575 [MOU, Laborers, International Union, Local 261]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the Laborers International Union, Local 261 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

**010576 [MOU, Operating Engineers, Local 3]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

**010577 [MOU, Painters, Local 4]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the Painters Union District Council #8 for Local 4 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

**010578 [MOU, Pile Drivers, Local 34]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local 34 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

**010579 [MOU, Plasterers' and Shophands', Local 66]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the Plasterers' and Shophands', Local 66 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

**010580 [MOU, Plumbers, Local 38]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local #38 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

**010581 [MOU, Roofers, Local 40]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the United Union of Roofers, Waterproofers and Allied Workers, Local 40 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

**010582 [MOU, Sheet Metal Workers, Local 104]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the Sheet Metal Workers International Union, Local 104 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

**010583 [MOU, Stationary Engineers, Local 39]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the International Union of Operating Engineers, Stationary Engineers, Local 39 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

**010584 [MOU, Supervising Probation Officers, Local 3]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between Operating Engineers, Local 3 Bargaining for Supervising Probation Officers and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

**010585 [MOU, Teamsters, Local 350]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the Sanitary Truck Drivers and Helpers, Teamsters, Local 350 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

**010586 [MOU, Teamsters, Local 853]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the Teamsters, Local 853 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.

(Fiscal impact.)

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

**010587 [MOU, Unrepresented Employees]
Mayor, Supervisor Newsom**

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in classes not represented by an employee organization, and establishing Working Schedules and Conditions of Employment and Methods of Payment, effective July 1, 2001.

(Fiscal impact.)

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

Recommendations of the Finance Committee

- 010550 [Appropriation, funding for a new facility for Extended Opportunity Program and Services]
Supervisors Gonzalez, Newsom, Leno, Sandoval

Ordinance appropriating \$700,000 of interest earned from 1997A General Obligation Bond Issue for Education to fund the construction of a new facility for the Extended Opportunity Program and Services (EOPS) for the San Francisco Community College for fiscal year 2000-01. (Controller)

(Fiscal impact.)

Supervisors Leno, Sandoval requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

- 010618 [Appropriation, funding for Homeless Prenatal Program for Fiscal Year 2000-01.]
Supervisors Gonzalez, Sandoval, Newsom, Daly

Ordinance appropriating \$60,000 from the General Fund Reserve to support the Homeless Prenatal Program in order to provide housing placement services for the homeless, through the Department of Human Services for fiscal year 2000-2001.

Supervisor Daly requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

- 010551 [Appropriation, funding for modification, maintenance and repair at the Main Library]
Supervisor Leno

Ordinance appropriating \$1,408,983 for modification, maintenance, and repair of the Main Library as recommended by the January 2000 Post Occupancy Evaluation (POE) Report for the Public Library for fiscal year 2000-01; placing \$300,000 on reserve. (Controller)

(Fiscal impact.)

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

001391 [Enforcement of Sign Regulations]
Supervisors Leno, Peskin, Gonzalez

Ordinance amending the San Francisco Planning Code by amending Section 176 and adding Section 610 to substantially increase the penalties for violation of regulations governing general advertising signs; amending Article XIII of the San Francisco Administrative Code to add Section 10.100-166 to establish a Planning Code Enforcement Fund and authorize the administrative penalties and fees collected pursuant to Section 610 and penalties and fees recovered by the City Attorney in a sign abatement action to be used to fund sign regulation enforcement activities.

From Planning Commission Resolution No. 16055 adopted 12/14/00, recommending adoption of proposed ordinance with deletion of reference to graffiti removal. Certificate of Determination of Exemption/Exclusion from Environmental Review dated 01/05/01.

*Supervisor Yee moved to refer this matter to the Small Business Commission.
Motion lost for want of a second.*

Supervisor Daly, seconded by Supervisor Yee, moved the three matters relating to sign regulation be referred to Housing, Transportation and Land Use Committee for additional hearing and to allow the Small Business Commission the opportunity to consider the measures.

Motion to refer to committee failed adoption by the following vote:

Ayes: 4 - Daly, Gonzalez, Hall, Yee

Noes: 7 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisor Yee, seconded by Supervisor Daly, moved refer the three matters (Files 001391, 002196, 002218) to the Small Business Commission and continue the items to May 29, 2001.

Motion to refer to Small Business Commission and continue the items to May 29, 2001 failed adoption by the following vote:

Ayes: 5 - Daly, Gonzalez, Hall, Maxwell, Yee

Noes: 6 - Ammiano, Leno, McGoldrick, Newsom, Peskin, Sandoval

The roll was then called on the pending ordinance.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Appointment of President Pro Tempore

At the request of the President, Supervisor Yee assumed the Chair for a brief period.

The President resumed the Chair shortly thereafter.

002196 [Information on general advertising sign]
Supervisors Leno, Peskin, Gonzalez

Ordinance amending the San Francisco Planning Code by adding Section 604.1 to require general advertising signs to bear the name of the sign company, permit number and permitted sign dimensions, requiring existing signs to comply within twelve months with one six-month extension, providing for an identifying number in lieu of the permit number for a sign that existed in its current location on or before the Planning Department's May/June 1966 general advertising sign inventory volumes, and establishing an additional penalty of \$1,000 a day for providing knowingly false, inaccurate or misleading information on the sign.

From Planning Commission Resolution No. 16112 adopted 3/15/01 recommending adoption of the proposed ordinance. Certificate of Determination of Exemption/Exclusion from Environmental Review dated 02/02/01.

Supervisor Daly, seconded by Supervisor Yee, moved the three matters relating to sign regulation be referred to Housing, Transportation and Land Use Committee for additional hearing and to allow the Small Business Commission the opportunity to consider the measures.

Motion to refer to committee failed adoption by the following vote:

Ayes: 4 - Daly, Gonzalez, Hall, Yee

Noes: 7 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisor Yee, seconded by Supervisor Daly, moved refer the three matters (Files 001391, 002196, 002218) to the Small Business Commission and continue the items to May 29, 2001.

Motion to refer to Small Business Commission and continue the items to May 29, 2001 failed adoption by the following vote:

Ayes: 5 - Daly, Gonzalez, Hall, Maxwell, Yee

Noes: 6 - Ammiano, Leno, McGoldrick, Newsom, Peskin, Sandoval

Supervisor Daly, seconded by Supervisor Yee, moved to amend the date to three years ago.

Motion to amend the date to three years ago failed adoption by the following vote:

Ayes: 3 - Daly, Hall, Yee

Noes: 8 - Ammiano, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

The roll was then called on the pending ordinance.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

002218 [South of Market General Advertising Sign Amendment]
Supervisors Leno, Peskin, Gonzalez

Ordinance amending the San Francisco Planning Code by amending Sections 607.2, 803.3 and 803.4 to clarify that general advertising signs are prohibited in the South of Market Zoning Districts, except in the South of Market General Advertising Special Sign District or where a permit was approved by the City prior to January 1, 2001. (Planning Department)

Supervisor Daly, seconded by Supervisor Yee, moved the three matters relating to sign regulation be referred to Housing, Transportation and Land Use Committee for additional hearing and to allow the Small Business Commission the opportunity to consider the measures.

Motion to refer to committee failed adoption by the following vote:

Ayes: 4 - Daly, Gonzalez, Hall, Yee

Noes: 7 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisor Yee, seconded by Supervisor Daly, moved refer the three matters (Files 001391, 002196, 002218) to the Small Business Commission and continue the items to May 29, 2001.

Motion to refer to Small Business Commission and continue the items to May 29, 2001 failed adoption by the following vote:

Ayes: 5 - Daly, Gonzalez, Hall, Maxwell, Yee

Noes: 6 - Ammiano, Leno, McGoldrick, Newsom, Peskin, Sandoval

The roll was then called on the pending ordinance.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Noes: 1 - Daly

010620 [Interdepartmental Jurisdictional Transfer]
Supervisors Peskin, Gonzalez, Daly, Leno, Newsom, Sandoval

Ordinance transferring jurisdiction over certain real property located at Drumm Street, between Clay and Washington Streets, described generally as Assessor's Block 202, Lots 6, 14 and a portion of 15, excluding the subsurface thereof, and a portion of Block 203, Lot 14, from the Department of Public Works to the Recreation and Park Commission; and providing that no building, improvement or structure may be constructed on the surfaces of such parcels and adjoining Assessor's Block 202, Lot 18.

Supervisors Leno, Newsom, Sandoval requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

010515 [Fees for licenses or permits for inspections by the Department of Public Health effective July 1, 2001]
Supervisor Gonzalez

Ordinance amending the San Francisco Municipal Code Business and Tax Regulations Code by amending Sections 35, 120, 248 and 249.1, relating to fees for licenses or permits for inspections by the Department of Public Health. (Public Health Department)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Gonzalez, Leno, Maxwell, McGoldrick, Peskin

Noes: 5 - Daly, Hall, Newsom, Sandoval, Yee

010621 [2001 Community Development Block Grant]
Mayor

Resolution approving the 2001 Community Development Program. Authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend the City's 2001 Community Development Block Grant (CDBG) entitlement from the U.S. Department of Housing and Urban Development, and program income up to \$38,663,433 which include indirect costs of \$160,000; and approving expenditure schedules for recipient departments and agencies and for indirect costs; placing \$429,626 on reserve.

Supervisor Peskin moved to amend page three, line 9, after "development" by inserting "for business assistance services to Asian Pacific Islander community across the city that will address the cultural and linguistic diversity of the Asian Pacific Islander business community".

Supervisor Peskin, seconded by Supervisor Daly, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

Deputy City Attorney noted that the legislation needed to be further amended on page three, line 10, by reducing the amount of "\$160,370" to "\$40,370" to reflect the add backs to the plan by Supervisors Ammiano, Daly, Hall, Maxwell, Newsom, Yee, Sandoval and Gonzalez, totaling \$120,000. Title amended accordingly.

Supervisor Peskin, seconded by Supervisor Daly, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

Resolution approving the 2001 Community Development Program. Authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend the City's 2001 Community Development Block Grant (CDBG) entitlement from the U.S. Department of Housing and Urban Development, and program income up to \$38,663,433 which include indirect costs of \$160,000; and approving expenditure schedules for recipient departments and agencies and for indirect costs; placing \$309,626 on reserve.

Resolution No. 324-01

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

Appointment of President Pro Tempore

At the request of the President, Supervisor Daly assumed the Chair for a brief period.

The President resumed the Chair shortly thereafter.

**010622 [HOME Program]
Mayor**

Resolution authorizing the Mayor of the City and County of San Francisco to accept and expend a grant from the U.S. Department of Housing and Urban Development for a total amount not to exceed \$7,896,000 for the HOME Program authorized under Title II of the National Affordable Housing Act of 1990, Public Law Number 101-625, and approving the HOME Program description as described in the 2001 Action Plan for San Francisco's Consolidated Plan. Indirect costs associated with the acceptance of these grant funds will be paid by Community Development Block Grant funds; placing \$30,000 on reserve.

Resolution No. 325-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

**010623 [2001 Emergency Shelter Grants Program]
Mayor**

Resolution approving the 2001 Emergency Shelter Grants Program and expenditure schedule; and authorizing the Mayor on behalf of the City and County of San Francisco to accept and expend a \$879,000 entitlement under the Emergency Shelter Grants Program from the U. S. Department of Housing and Urban Development.

Resolution No. 326-01

ADOPTED by the following vote:

Ayes: 8 - Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval
Absent: 3 - Ammiano, McGoldrick, Yee

Recommendation of the Rules Committee

**002065 [Asthma Task Force]
Supervisors Maxwell, Leno, Newsom**

Ordinance amending Chapter 19A of the San Francisco Administrative Code by adding Article II to establish an Asthma Task Force.

Supervisors Leno, Newsom requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

Recess

The Board, at the hour of 4:44 p.m., took a brief recess.

Reconvening of the Board

The Board, at the hour of 4:47 p.m., reconvened.

Calling the Roll

On call of the roll, the following persons were noted present:

Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Sandoval - 9.

Noted absent:

Supervisors Peskin, Yee - 2.

Quorum present.

Supervisor Peskin was noted present at 4:49 p.m.

PUBLIC COMMENT

Michael Petrelis, inappropriate use of city funds for AIDS and HIV outreach and prevention education;

Diedra Epps-Miller, asthma task force, outreach, website, education;

Frederick Hobson, substance abuse, need for more treatment services and beds;

Lorna Garr, child care worker funding;

Male speaker, transgender rights;

Edmund Edmunds, shelter system needs diversity, need youth, adult, correctional facility;

John Lasken, opposes Golden Gate Park act of 1988, proposed garage facility;

Robert Pender, Park Merced rent board hearings, sale of housing property to state university.

CLOSED SESSION

Conference with the City's Labor Negotiators - Collective Bargaining

City's Negotiators: Mavor and Human Resources Director

Anticipated Issues Under Negotiation

010768 [Labor Negotiations]

Motion that the Board of Supervisors convene in closed session with the City's Labor Relations Negotiators, the Mayor and the Director of Human Relations, for the purpose of reviewing the City's positions in pending labor negotiations with organizations representing the City employee groups.

This closed session would be permitted by Government Code Section 54957.6, and San Francisco Administrative Code Section 67.8. (City Attorney)

(Organizations Representing:

Electrical Workers, Local 6;

Automotive Machinists, Local 1414;

Professional & Technical Engineers, Local 21;

Municipal Attorneys' Association;

Union of American Physicians & Dentists

Teamsters, Local 856;

TWU, Local 250-A;

Municipal Executives Association;

Deputy Sheriffs' Association;

District Attorney Investigators Association;

Probation Officers Association;

TWU, Local 200;

TWU, Local 250-A, 7410s)

Supervisor Leno, seconded by Supervisor McGoldrick, moved to amend the closed session matter to add the fire and police organizations, requested by Supervisor Ammiano. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 1 - Yee

Supervisor Ammiano requested this matter be continued to May 7, 2001.

President Ammiano, seconded by Supervisor Leno, moved that this Litigation be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 1 - Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

010741 [Commendation]

Supervisors Ammiano, Newsom

Resolution in special recognition of The California Transcribers and Educators of the Visually Handicapped.

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 351-01

ADOPTED

**010742 [Commendation]
Supervisors Hall, Newsom**

Resolution commending the Lowell Sports Foundation for striving to fulfill its mission of identifying outside funding sources and opportunities in order to build a substantial endowment in support of after school athletic programs at Lowell High School.

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 352-01

ADOPTED

**010743 [Commendation]
Supervisors Leno, Sandoval**

Resolution urging the Mayor, city departments and citizens of San Francisco to recognize the numerous positive contributions youth make to our city, state and nation.

Supervisor Sandoval requested to be added as co-sponsor.

Resolution No. 358-01

ADOPTED

**010744 [Commendation]
Supervisor Leno**

Resolution commending the sponsors and honorees of the 11th Annual San Francisco Bay Area Mural Awareness Month.

Resolution No. 353-01

ADOPTED

**010746 [Commendation]
Supervisors Peskin, Newsom**

Resolution commending the Coevolution Institute for its promising concept of a Butterfly Discovery Park and its continued efforts to locate this venue in San Francisco.

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 354-01

ADOPTED

**010747 [Commendation]
Supervisor Daly**

Resolution commending Oscar Olivera and La Coordinadora for their successful efforts to combat water privatization in Bolivia.

Resolution No. 355-01

ADOPTED

**010766 [Appointment - Transbay Terminal Joint Powers Authority]
Supervisor Ammiano**

Resolution appointing Supervisor Sophie Maxwell to the Transbay Terminal Joint Exercise of Powers Agency.

Supervisor Sophie Maxwell, initial appointment, Seat No. 2, must be a member of the Board of Supervisors appointed by the Board of Supervisors.

Resolution No. 356-01

ADOPTED

**010773 [Appointment - Transbay Joint Powers Authority]
Supervisor Ammiano**

Resolution confirming the appointment of Michael T. Burns to the Transbay Joint Powers Authority as the representative of the Municipal Transportation Agency Board of Directors, effective April 17, 2001.

Resolution No. 357-01

ADOPTED

010757 [Final Map for a 103 Unit Residential Condominium Project]

Motion approving Final Map of The Brannan - Tower "B" (229 Brannan Street), a Residential Condominium Project, being a subdivision of Lot 516, Assessor's Block No. 3789, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,913.)

Motion No. M01-53

APPROVED

010758 [Final Map for a 19 Unit Live/Work Condominium Project]

Motion approving Final Map of 360 6th Street, a Live/Work Condominium Project, being a subdivision of Lot 8, Assessor's Block No. 3754, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,921.)

Motion No. M01-54

APPROVED

**010765 [Purchase of Power from Calpine Energy Services]
Supervisor Ammiano**

Motion scheduling a Committee of the Whole to consider a resolution approving a contract for the purchase of power from Calpine Energy Services, to be held on May 7, 2001 at 3:00 p.m.

Motion No. M01-55

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 1 - Yee

Severed From For Adoption Without Committee Reference Agenda

**010480 [Planning Department Audit]
Supervisors McGoldrick, Sandoval**

Motion requesting that a management audit of the Planning Department be added to the audit workplan, be given priority on this workplan, and be conducted at the earliest juncture.

Supervisor McGoldrick requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor McGoldrick requested this matter be referred to committee.

REFERRED to the Rules Committee.

**010481 [Amending proposed schedule of management audits of City and County Departments]
Supervisor McGoldrick**

Motion amending proposed schedule of management audits to be conducted of programs of City and County Departments by the Budget Analyst.

Supervisor McGoldrick requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor McGoldrick requested this matter be referred to committee.

REFERRED to the Rules Committee.

**010740 [Outside Counsel, Department of Elections]
Supervisor Gonzalez**

Resolution urging the San Francisco City Attorney to acknowledge a possible conflict of interest in her position as legal counsel for the Department of Elections and as a candidate for re-election, and to appoint outside counsel for the purpose of advising the Department of Elections on all matters related to the upcoming November 6, 2001 election.

Supervisor Hall requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Gonzalez requested this matter be tabled.

Supervisor Gonzalez, seconded by Supervisor Hall, moved that this Resolution be **TABLED**. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 1 - Yee

**010745 [Extension of Planning Commission Review Period]
Supervisor Leno**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code to adopt an inclusionary affordable housing program.

Supervisor Daly requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Daly requested this matter be referred to committee.

REFERRED to the Housing, Transportation and Land Use Committee.

010767 [Special Off Site Meetings of the Finance Committee on 5/19/01 and 5/22/01]

Motion setting special off site meetings of the Finance Committee for the purpose of receiving community input on the City and County of San Francisco's 2001-2002 Budget. (Clerk of the Board)

(Saturday, May 19, 2001, 10:00 a.m., Richmond Recreation Center, 251 18th Avenue;

Tuesday, May 22, 2001, 6:30 p.m., Sunset Recreation Center, 2001 Lawton Street.)

The Clerk of the Board requested this matter be severed so it could be considered separately.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

The Clerk of the Board requested this matter be amended on line 13 to replace "2001" with "2201" Lawton Street.

Supervisor Leno, seconded by Supervisor Maxwell, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 1 - Yee

Motion No. M01-56

APPROVED AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 1 - Yee

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

010269 [Nuisance Code Revision]
Supervisors Newsom, Leno, Sandoval, Peskin, Daly

Ordinance amending Sections 37, 92, 283, 585, 596, 598, 599, 600, 605, 607, 608, and 1604; adding Sections 580, 581, 582, 614, 615, and 616; and deleting Sections 93 to 97.6, inclusive and 606 of the San Francisco Health Code consolidating various provisions that set forth conditions that constitute a public nuisance and to declare the presence of mold and mildew and lead hazards as public nuisances; clarifying the requirements regarding the maintenance of small animals, poultry and game birds in residential districts; authorizing the Department of Public Health to recover administrative costs incurred in pursuing an abatement action as authorized by Government Code Section 25845; and establishing an administrative enforcement process for the abatement of nuisances; and increasing the minimum criminal penalties from \$25 to \$100 and the maximum criminal penalties from \$250 to \$1000 for non-compliance with a Director's Order.

2/12/01, ASSIGNED UNDER 30 DAY RULE to Public Health and Environment Committee, expires on 3/14/2001.

4/30/01, SUBSTITUTED. Supervisor Newsom submitted a substitute ordinance bearing new title.

4/30/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee. 5/2/01 from President Ammiano, waiving the 30 day rule.

010528 [Redefine Live/Work as Loft Housing and Classify them as Residential Uses]
Supervisors Hall, Maxwell, McGoldrick, Peskin, Sandoval, Yee

Ordinance amending the Planning Code by amending Sections 102.7 and 102.13 to redefine "live/work" units as "loft housing" and classify them as residential uses, by repealing Section 233 (Live/Work Units), and by adding new Section 232 (Loft Housing) that subjects loft housing to both existing live/work controls and also to additional controls that permit loft housing where housing is permitted, require a conditional use where housing requires a conditional use and require a conditional use where live/work is currently permitted, that require the loft housing unit to be the primary residence of at least one of the occupants, that provide there will be no accessory use limitations or restrictions on the nature of work which could be performed in the unit (with some exceptions) and no requirement that any of the occupants work in the unit, that require loft housing to comply with existing inclusionary housing policies, that set density limits for loft housing projects, that authorize the Planning Commission to permit additional height up to 20 feet within the South of Market Residential Service District (RSD) in return for additional affordable housing, that require loft housing constructed in or abutting a residential zoning district to comply with all requirements for residential uses including the Residential Design Guidelines, that require loft housing constructed in areas not zoned residential and not abutting a residential zoning district to comply with adopted design guidelines and all requirements for residential uses except for height, front setback and open space requirements, that require conditional use authorization to convert loft housing units or previously existing live/work units to entirely office space that require conditional use authorization to convert existing live/work units to loft housing, that establish a 15-foot rear yard requirement subject to modification; providing that this ordinance supersedes any inconsistent Planning Commission policies; requiring the Planning Department to complete its rezoning studies of the IPZs and forward appropriate rezoning legislation to the Board by December 31, 2001; adopting findings.

3/26/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee. 03/29/01 - Transmitted to Planning Commission for public hearing and recommendation.

4/30/01, SUBSTITUTED. Supervisor Hall submitted a substitute ordinance bearing new title.

05/04/01 - Substitute ordinance transmitted to Planning Commission for public hearing and recommendation.

4/30/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 5/30/2001.

**010778 [Campaign and Governmental Conduct Code, Mass Mailings]
Supervisor Leno**

Ordinance amending Article I, Chapter 1 of the San Francisco Campaign and Governmental Conduct Code by amending Section 1.104 and adding Section 1.161 to require candidates who pay for mass mailings to identify themselves on the mailings with a "paid for by" designation, and file a copy of the mass mailing along with an itemized disclosure statement with the San Francisco Ethics Commission.

4/30/01, ASSIGNED UNDER 30 DAY RULE to Economic Vitality, Small Business and Social Policy Committee. Refer to Ethics Commission and Small Business Commission.

**010779 [Campaign and Governmental Conduct Code, Recorded Political Telephone Messages]
Supervisor Peskin**

Ordinance amending Article I, Chapter 1 of the San Francisco Campaign and Governmental Conduct Code by amending Section 1.104 and adding Section 1.163 to require persons funding recorded telephone calls that support or oppose candidates for City elective office to identify themselves as the source of funding.

4/30/01, ASSIGNED UNDER 30 DAY RULE to Economic Vitality, Small Business and Social Policy Committee. Refer to Ethics Commission and Small Business Commission.

**010780 [Conditional Use for Dwelling Unit Mergers]
Supervisor Gonzalez**

Ordinance amending Planning Code by adding Section 303(h) to require conditional use approval for the merger of dwelling units; adopting findings pursuant to Section 101.1.

4/30/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 5/30/2001. 05/04/01 - Substitute ordinance transmitted to Planning Commission for public hearing and recommendation.

**010781 [Appropriation, Energy Costs]
Mayor**

Ordinance appropriating \$4,032,000 of the General Fund Reserve to fund the energy costs incurred by Light, Heat and Power for General Fund supported departments for fiscal year 2000-01.

(Fiscal Impact.)

4/30/01, RECEIVED AND ASSIGNED to Finance Committee.

Resolutions

**010739 [Long Term Power Purchase]
Mayor**

Resolution approving a contract for the purchase of power from Calpine Energy Services for a period not to exceed five years beginning July 1, 2001.

(Fiscal impact.)

4/23/01, RECEIVED AND ASSIGNED to Finance Committee.

4/30/01, SUBSTITUTED. Mayor Brown submitted a substitute resolution bearing new title.

4/30/01, ASSIGNED to Board of Supervisors. Pursuant to File 010765, Board to sit as a Committee of the Whole on May 7, 2001 at 3:00 p.m.

**010782 [Potrero Power Plant Citizen Advisory Task Force]
Supervisor Maxwell**

Resolution to modify the Potrero Power Plant Citizen Advisory Task Force membership by removing City officials as voting members thereby reducing the size of the task force to eight (8) neighborhood residents and preserving the City officials in an advisory role to the Task Force.

4/30/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010783 [Graffiti stenciled on sidewalks]
Supervisors Newsom, Peskin, Leno, Maxwell, McGoldrick, Daly, Hall**

Resolution urging the City Attorney and the District Attorney to explore felony charges against International Business Machines or its representatives for stenciling San Francisco sidewalks with permanent paint; and urging the Department of Public Works to track all costs associated with the cleanup of the sidewalk graffiti.

4/30/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010784 [Warden Johnston historic vessel]
Supervisors Newsom, Peskin**

Resolution urging the City and County of San Francisco to endorse and promote the return of the historic vessel known as the Warden Johnston Alcatraz Prison Launch to Alcatraz Island and San Francisco.

4/30/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010785 [Sierra Nevada Forest Plan Amendment Record of Decision]
Supervisors Newsom, Leno, Peskin, McGoldrick**

Resolution supporting the Sierra Nevada Forest Plan Amendment Record of Decision and the U.S. Forest Service in its efforts to protect communities, natural resources and the economies of the Sierra Nevada.

4/30/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010786 [Piers 27-31]
Supervisors Peskin, McGoldrick**

Resolution expressing the Board of Supervisors grave concern regarding the process in which proposals were evaluated and selected by the San Francisco Port Commission for development of Piers 27-31 and condemning the use of misleading, campaign-style tactics in selection processes at the Port and other local public bodies.
4/30/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010787 [Howard Street Bike Lane]
Supervisor Daly**

Resolution establishing a striped bicycle lane on Howard Street; authorizing the Department of Parking and Traffic to convert the part-time tow-away zone to full-time parking.
4/30/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010788 [Public Hearing Approval, Public Policy Institute of California]
Supervisor Peskin**

Resolution authorizing the issuance and sale of revenue bonds by ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$40,000,000 for Public Policy Institute of California, or an affiliate.
4/30/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010789 [Senate Bill 244, SFO airport runway expansion]
Supervisors Daly, Peskin, Newsom, Hall**

Resolution supporting Senate Bill 244 (SB244), sponsored by State Senator Jackie Speier, to provide San Mateo County input into SFO airport runway expansion.
4/30/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010790 [AB 936, loan repayment assistance to attorneys, AB 935 debt relief to primary care medical providers]
Supervisors Gonzalez, Leno**

Resolution urging the California State Assembly to pass AB 936, a bill that would provide loan repayment assistance to attorneys working in public interest law, and to amend AB 935 to extend debt relief to primary care medical providers who serve poor communities.
4/30/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010791 [AB 303 grant to Daly City to construct a tertiary water plant]
Supervisors Hall, Newsom**

Resolution urging the City of Daly City to complete the 100% design of its tertiary treatment plan and move forward with its plans to seek an AB 303 Groundwater Management Grant, which will allow Daly City to move forward with its plans to construct a tertiary water plant.

4/30/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010792 [Public Hearing Approval, Brandeis Hillel Day School]
Supervisors Hall, Newsom**

Resolution authorizing the issuance and sale of revenue bonds by ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$10,000,000 for Brandeis Hillel Day School, or an affiliate.

4/30/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010793 [Commendation]
Supervisors Maxwell, Peskin, Newsom, Daly**

Resolution commending the Potrero Hill Boosters Neighborhood Association for its commitment to improve and enhance its neighborhood and for its continuing efforts to strengthen their neighborhood voice in San Francisco.

4/30/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010794 [Commendation]
Supervisor Newsom**

Resolution commending the Laurel Hill Nursery School for the success of its first ever Capital Campaign, known as "Building the Future", which began in 1997, for renovations needed in order to meet current safety standards and comply with the Americans with Disabilities Act.

4/30/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010795 [Commendation]
Supervisors Sandoval, Newsom**

Resolution commending Anthony Sacco, on the occasion of his 75th birthday, for decades of work for San Francisco and his dedication as a community leader.

4/30/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010796 [Commendation]
Supervisors Sandoval, Leno, Ammiano, Peskin, Newsom, Hall

Resolution commending the Latino Honor Roll Students for their academic excellence in the school year 2000-2001 and for participating in the Fifth Annual Latino Honor Roll Celebration, a march and ceremony, on April 30, 2001.

4/30/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010797 [Commendation]
Supervisors Sandoval, Daly

Resolution commending the Healthcare Action Team for performing a street theater and rally to demonstrate the needs of low-income seniors and the In-Home Supportive Services Share-of-Cost Pilot Project.

4/30/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010798 [Commendation]
Supervisors Yee, Ammiano, Peskin, Newsom, Daly

Resolution commending Millie Valdes on the occasion of her retirement from the Mayor's Office of Neighborhood Services after 26 years of service to the City and County of San Francisco.

4/30/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010799 [Commendation]
Supervisor Yee

Resolution commending John Richard Lee on the event of his retirement from the Office of the Treasurer and Tax Collector after 29 years of service to the City and County of San Francisco.

4/30/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

010800 [Planning Department Budget]
Supervisor McGoldrick

Hearing on the proposed budget of the Planning Department, with particular attention to the plans and programs of the department and how the budget proposals meet the mission of the department.

4/30/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

010801 [Transit Impact Development Fee]
Supervisor McGoldrick

Hearing on the status of the Transit Impact Development Fee and how those fees may be adjusted to more effectively mitigate the impacts of development on the City's transit system.

4/30/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010802 [Childcare Development Fee]
Supervisor McGoldrick**

Hearing on the status of the Childcare Development Fee and how those fees may be adjusted to more effectively mitigate the impacts of development on the need to provide child care in the City.
4/30/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010803 [Grand Jury Process]
Supervisor Newsom**

Hearing to discuss the Grand Jury process in order to determine how the Board of Supervisors should respond to Grand Jury reports.
4/30/01, RECEIVED AND ASSIGNED to Rules Committee.

**010804 [Request for Proposal Process]
Supervisor Newsom**

Hearing to discuss all aspects of the Request for Proposal (RFP) process to include, but not limited to: (1) Response Times; (2) Cycle Times; (3) Threshold for Contracts; (4) Outreach to small contractors, professional services firms, etc.; (5) RFP Forms; (6) Technical Assistance.
4/30/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**010805 [Task Force for Median Strips]
Supervisor Newsom**

Hearing to consider the creation of a Task Force to investigate the capital planning, revitalization and maintenance efforts of median strips Citywide. This Task Force should include, but not limited to the following stakeholders: (1) Recreation and Parks Department; (2) Department of Public Works; (3) CalTrans; (4) Other community stakeholders.
4/30/01, RECEIVED AND ASSIGNED to Rules Committee.

**010806 [Paratransit Services]
Supervisor Newsom**

Hearing to discuss the need to fully support Paratransit services, generally, and in particular, access to adult day services.
4/30/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010807 [Garbage Rate Increases Proposal]
Supervisor Yee**

Hearing regarding the 2001 garbage rate increase proposal and the rate application from Sanitary Fill Company, Sunset Scavenger Company, and Golden Gate Disposal and Recycling Company and the changes in service; such as, the Fantastic Three recycling proposal.
4/30/01, RECEIVED AND ASSIGNED to Rules Committee.

**010808 [Quality of Life, District 5]
Supervisor Gonzalez**

Hearing to discuss the neighborhood concerns in District 5.

4/30/01, RECEIVED AND ASSIGNED to Finance Committee. Scheduled for consideration on May 8, 2001.

Motions

**010809 [Rules of Order Amendment, Business Tax Restructuring Committee]
Supervisor Ammiano**

Motion amending the Rules of Order of the Board of Supervisors of the City and County of San Francisco, by adding Section 5.9.5, thereby creating a new Business Tax Restructuring Committee of the Board.

4/30/01, RECEIVED AND ASSIGNED to Rules Committee.

**010810 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

4/30/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

010762 [Selection of Police Inspectors]

Ordinance amending Section 2A.78 of the San Francisco Administrative Code to conform with post Consent Decree requirements regarding the administration of examination for the rank of Assistant Inspector. (Police Department)

4/25/01, RECEIVED AND ASSIGNED to Rules Committee.

**010763 [Appropriation, Infrastructure Projects in Golden Gate Park]
Supervisor Newsom**

Ordinance appropriating \$16,998,742 of the Golden Gate Park Bond Proceeds to fund the construction and renovation activities associated with the MLK Utilities Project, North and South Lake project and the Golden Gate Park East Entrance for the Department of Recreation and Park for fiscal year 2000-01. (Controller)

(Fiscal impact.)

4/25/01, RECEIVED AND ASSIGNED to Finance Committee.

Supervisor Newsom requested to be added as sponsor.

PROPOSED RESOLUTIONS

010734 [Sale of surplus property under the jurisdiction of PUC to San Mateo County]

Resolution authorizing and approving the agreement of sale of a permanent non-exclusive easement of City-owned property located in an unincorporated area of San Mateo County being a portion of Lot 9, Assessor's Block 23, located near Esther Lane and Hillcrest Drive, near Redwood City, in the Oak Knoll Manor District to the County of San Mateo. (Real Estate Department)

4/19/01, RECEIVED AND ASSIGNED to Finance Committee.

010764 [Lease of Property]

Resolution authorizing the lease of real property at 3120 Mission Street for the Department of Human Services. (Real Estate Department)

(Fiscal impact; District 9)

4/25/01, RECEIVED AND ASSIGNED to Finance Committee.

Requests Granted

From: Supervisor Leno

To: Director, Department of Public Works

Requesting/Inquiring: To investigate and report why a large number of illegal signs have been posted in Noe Valley and the Castro areas with an advertisement for "Got Junk" Trash Service, and why have these signs not been removed?

From: Supervisor Leno

To: City Attorney

Requesting/Inquiring: To draft a Charter amendment that would alter all references to election run-offs (all local offices) to say that the mechanism for implementing a run-off would be left to the Board of Supervisors to decide by Ordinance, in accordance with available technology for voting used by the Department of Elections.

From: Supervisor Maxwell

To: City Attorney

Requesting/Inquiring: To draft legislation whereby all leases or agreements between city departments and utility companies must be approved by the Board of Supervisors.

Due: May 21, 2001

From: Supervisor Maxwell

To: Director, Airport

Requesting/Inquiring: To investigate and report on a proposal by El Paso Merchant Exchange to construct a power plant on land leased to United Airlines at the airport.

In particular, please provide:

- 1. A copy of the airport's lease with United Airlines;*
- 2. Any amendments or proposed changes to the lease with United Airlines;*
- 3. A copy of agreement or leases with El Paso Merchant Exchange;*
- 4. A copy of any Airport Commission actions relevant to the creation of power plants at the airport.*

Due: May 21, 2001

From: Supervisor Newsom

To: Director, Department of Public Works

Requesting/Inquiring: Requesting copy of schedule to begin weeding for all median strips along the following corridors:

- 1. Sloat Boulevard between 31st Avenue and 25th Avenue;*
- 2. 19th Avenue between Sloat Boulevard, Ocean Avenue and Eucalyptus Street.*

From: Supervisor Newsom

To: City Attorney

Requesting/Inquiring: To draft an ordinance prohibiting the parking of non-electric vehicles in spaces reserved for electric vehicles and approving free parking for clean air vehicles at on-street parking meters for a period of one year.

From: Supervisor Peskin

To: City Attorney

Requesting/Inquiring: To determine what legal and legislative parameters govern whether contracts in excess of \$10 million dollars or ten-years time come before the Board of Supervisors for approval.

From: Supervisor Peskin

To: City Attorney

Requesting/Inquiring: To determine if Proposition J, the campaign finance law passed in 1998, prohibits attorneys, law firms and companies with current or prior cases before the City Attorney from contributing to the campaigns of candidates for City Attorney.

From: Supervisor Peskin

To: Director, Rent Stabilization Board

Requesting/Inquiring: To investigate and report whether it's legal for a landlord to restrict access to shared facility amenities in an apartment building, such as laundry machines, to some tenants and not others without specific provisions in tenants' leases.

From: Supervisor Daly

To: Chief, Police Department

To: General Manager, Recreation and Park Department

To: Director, Planning Department

To: Director, Department of Public Works

Requesting/Inquiring: That Chief of Police; General Manager, Recreation and Park Department; Directors of Planning and Public Works send documents related to "planned renovations to United Nations Plaza" referenced by Police Chief Lau on KRON-Channel 4 on Sunday, April 29, 2001. Specifically, all documents related to benches, fountains and open space improvements.

From: Supervisor Hall

To: Chief Probation Officer, Youth Guidance Center

Requesting/Inquiring: To investigate and report on neighborhood safety around the Youth Guidance Center, including:

- 1. How does the Youth Guidance Center notify their neighbors of their security problems;*
- 2. Does the Youth Guidance Center have any plans to improve their notification process; and*
- 3. Did the Youth Guidance Center learn any lessons from the security breach last week?*

From: Supervisors Hall, Gonzalez

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To report when the 7th Avenue entrance into Golden Gate Park will be closed to through traffic; and is it feasible to eliminate the traffic island in the middle of the intersection of 7th Avenue and Lincoln Boulevard, and then allow left turns from northbound 7th Avenue onto westbound Lincoln Boulevard?

In Memoriam

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Esther Webb (Supervisor Hall)

Laticia Ramirez (Full Board)

Irma Fritsch (Supervisor Leno)

Dorothy Merson (Supervisor Peskin)

ADJOURNMENT

There being no further business, the Board at the hour of 6:13 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 4, 2001.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board



